

**KENTUCKY**

SUMMER 2006 | Volume 5, Number 2

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KENTUCKY

# LAW ENFORCEMENT

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**John W. Bizzack**  
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The Kentucky Law Enforcement staff welcomes submissions of law enforcement-related photos and articles for possible submission in the magazine. We can use black and white or color prints, or digital images. KLEN News staff can also publish upcoming events and meetings. Please include the event title, name of sponsoring agency, date and location of the event and contact information.



## Leadership Habits

/John W. Bizzack, Commissioner, Department of Criminal Justice Training

Perhaps the greatest single collection of human knowledge up until modern times was housed at the Library of Alexandria, Egypt, prior to 200 B.C. It contained the collected wisdom of centuries of mankind. Unfortunately, the library burned to the ground sometime around the seventh century and all of that incredible knowledge was lost.

But, sometimes out of destruction comes a new kind of wisdom and from the terrible fire at Alexandria came the tale of a scholar. An intelligent man, he was brokenheartedly poking amid the ruins, when he stumbled onto a single, charred scroll of ancient papyrus. Within the scroll was the mesmerizing secret of the magical “touchstone,” a small pebble that contained the power to turn any metal into pure gold.

The touchstone was lost on the shores of the Black Sea. The individual who found it would become rich. Of course, there was a catch: The touchstone looked like any other of the millions of pebbles washed up on the beach of the Black Sea.

But, according to the papyrus, the real touchstone would feel warm to the touch while other ordinary pebbles remained cold. Overjoyed, the old scholar sold all his earthly belongings and moved northeastward to the shore of the Black Sea to search for the magical touchstone.

At first, he was overwhelmed by the sheer number of pebbles along the shoreline. He knew that if he picked up ordinary, cold pebbles and just dropped them back down into the sand, he would soon be picking up the same pebbles over and over again. A thoughtful, rational scholar, he decided that when he picked up a cold pebble he would throw it into the sea. He would continue in the same location until that specific area of the beach was cleared of pebbles and then he would move forward. And so he began his search, picking up pebbles, sensing them to be cold and tossing them into the dark waters of the Black Sea.

Days turned into weeks, weeks into months, months into years as he doggedly continued his search, picking up one pebble at a time, finding them cold, and tossing them into the sea. He developed a rhythm and could clear an amazing amount of beach

of thousands of pebbles in a day. Over time, his actions became robotic, he didn't need to think: just pick up a stone, feel it to be cold, throw it into the sea, pick up another stone and continue.

Then, early one morning, it finally happened. He picked up a pebble that was indeed warm. His brain subconsciously labored to wrap itself around the thought that this stone was different. But man, even a scholar, is a creature of habit. Involuntarily following the same routine he had used thousands of times before, he drew his arm back and threw the warm pebble – the magic touchstone – out to sea. By the time he realized what was happening, his eyes were watching the pebble, disappearing with a tiny, sickening splash in the calm water. The touchstone was lost forever.

Throughout his years of searching, the scholar developed habits that subconsciously overruled his rational thought process, tragically proving the theory “you are what you repeatedly do.” Likewise, what we repeatedly do through our thoughts and actions become personal habits – habits that can be our worst enemies or our best servants.

Habits are usually unconscious behaviors. Once we've formed them we don't even think about them and they are not always easy to change. Many times our actions have become so automatic that we're not even aware that a habit has been formed. Consider the way you eat your dinner, the route you take to work, the pattern you mow your yard, the way you supervise, manage or lead. How many of those actions are the results of repetition that have become habits?

As the scholar from Alexandria learned, first we make our habits and then our habits make us. If you fail to remain in control, your habits can overwhelm your conscious thought and actions. Obviously in some cases, that can be beneficial while in others it can be detrimental. The key is your identification of personal actions that you allow to become habits and those over which you decide to retain conscious control. 🐟





## New Legislation

/Lieutenant Governor Stephen B. Pence, Secretary, Justice and Public Safety Cabinet

The 2006 Kentucky General Assembly adjourned in April and I'm pleased to note that the Justice and Public Safety Cabinet successfully worked with Kentucky's legislators to pass a significant number of bills which will have a positive impact on the justice community. Here is a brief summary of specific bills of interest to law enforcement departments in the Commonwealth. A summary of other new legislation of interest to law enforcement is in the article "2006 New Legislation" on page 75.

### House Bill 3

In 2005, Governor Ernie Fletcher organized the Kentucky Coalition Against Sexual Assaults (KCASA). The governor tasked the group with gathering information and submitting recommendations to the Justice and Public Safety Cabinet for legislation to strengthen Kentucky's sexual offender laws. House Bill 3 is the result of the recommendations by KCASA and makes numerous changes that strengthen the sexual offense statutes and sex offender registry. Furthermore, it removes some of the confidentiality of records relating to violent and sexual offenses committed by juvenile offenders. Please refer to the article on page 56.

### House Bill 193

House Bill 193 requires a prison inmate to exhaust all of his or her administrative remedies prior to the filing of a lawsuit. This bill is expected to save thousands of taxpayer dollars, as well as decrease the number of needless or frivolous lawsuits brought by prisoners.

### House Bill 290

House Bill 290 made numerous changes to the Carrying Concealed Deadly Weapons statutes. Under this bill, certain federal and military peace officers are deemed to have met the training requirement for purposes of obtaining a CCDW license. Section 5 of the bill expands Kentucky's participation in the Federal Law Enforcement Officers Safety Act of 2004 to include retired officers from out-of-state agencies that reside in Kentucky. Additionally, CCDW training and licensing records were made confidential except to requesting law enforcement agencies. The bill further prohibits the seizure of lawfully owned weapons and ammunition during disasters and emergencies unless the owner is using them for unlawful purposes.

### House Bill 380

Last year, officers of the Kentucky State Police and Kentucky Vehicle Enforcement were included for the first time among law enforcement officers who receive the Kentucky Law Enforcement Founda-

tion Program Fund stipend via a provision in the budget bill. Their participation was continued in House Bill 380, the 2006-2007 biennial budget.

### House Bill 656

House Bill 656 changes the composition of the Commercial Mobile Radio Service board, attaches it to the Office for Security Coordination and authorizes the collection of a CMRS service charge from each connection to which a Kentucky telephone or identification number has been assigned.

### Senate Bill 59

Senate Bill 59 reorganizes the Office of Homeland Security attaching it to the Office of the Governor and establishing the duties of the executive director. The bill also moves the Commercial Mobile Radio Service Emergency Telecommunications Board of Kentucky from the Commonwealth Office of Technology to the Kentucky Office of Homeland Security and requires that the director of the Division of Emergency Management notify the executive director of the Kentucky Office of Homeland Security of all major emergencies and disasters and all responses to these events.

### Senate Bill 155

Senate Bill 155 provides for the certification of law enforcement telecommunications and the establishment of future training standards by the Kentucky Law Enforcement Council. Due to the sensitive nature of their positions and the information to which they have access, all new telecommunications will also have to complete a background investigation, psychological suitability screening, polygraph, and drug screening prior to being hired by the agency.

Finally, the Senate unanimously voted to confirm the appointments of Jeanetta Lee Massey, Patricia Turpin, William I. Abney, and Verman Wilburn to the Parole Board by Governor Fletcher.

Each of these bills, in its own way, serves to better protect the citizens of the Commonwealth and to provide the tools, infrastructure and training needed by our law enforcement officers. These new laws will enable our officers to do their jobs professionally and continue the dedication they display on the job everyday. I would like to commend the legislators and everyone who helped make this General Assembly a success. 🍷

*AT B Pence*

## ■ Thapar Named U.S. Attorney for Kentucky's Eastern District



**T**he U.S. Senate recently confirmed Amul R. Thapar of Edgewood as the U.S. attorney for the Eastern District of Kentucky.

Thapar announced his priorities as homeland security and fighting terrorism. Thapar also plans to focus on drug trafficking, public corruption, child pornography and obscenity.

"I will work diligently to make sure the priorities of the (Justice) Department are enforced," added Thapar.

Based in Lexington, the U.S. attorney for Kentucky's Eastern District has jurisdiction over 67 counties in the eastern half of the state.

President George W. Bush nominated Thapar for the position in February and he was confirmed in March. Since 2002, Thapar has served in Cincinnati as an assistant federal prosecutor. He replaces Gregory Van Tatenhove, who took a position as a U.S. district judge for the Eastern District of Kentucky.

Senate Majority Whip Mitch McConnell called Thapar, "an outstanding man of great credentials and character."

"His confirmation will lead to a safer, more just Kentucky," McConnell added.

While in Cincinnati, Thapar helped prosecute several high profile cases. Among those cases were a mortgage fraud ring and a conspiracy to provide illegal immigrants with counterfeit driver's licenses.

Among his other achievements are the

founding of the Cincinnati chapter of Street Law, Inc., a program that teaches legal principles in high schools, prisons, community groups, and juvenile detention centers; serving as assistant federal prosecutor in Washington, D.C.; serving as a lawyer with private law firms in Cincinnati and Washington, D.C.; and teaching at Georgetown University Law Center and University of Cincinnati College of Law as an adjunct professor.

A graduate of Boston College, Thapar received his law degree from the University of California at Berkeley.

He and his wife, Kimberly, have three children.

## ■ FBI Honors Kentucky State Trooper

/KSP Submitted

**K**entucky State Police Det. Ben Wolcott, Post 2 in Madisonville, has been honored by the FBI for his efforts in the case of accused murderer Russell Winstead.

"Det. Wolcott's contributions to this investigation were immeasurable and he has the gratitude of the FBI for all he did to help accomplish the objectives of this investigation," said Larry Willis, FBI assistant special agent in charge.

Capt. Leslie Gannon, commander of KSP Post 2, said Wolcott was to be commended for his "tenacity and multi-agency coordination, which demonstrated his unwavering commitment to the successful resolution of this investigation."

Winstead is accused of the 2003 killing of his aunt in Madisonville. He fled the country and was arrested in Costa Rica in 2005 after tips were received when the case was featured on the television program America's Most Wanted.

Winstead was extradited to the U.S. and returned to Hopkins County in February. His trial is scheduled to begin in September.



▲ Lexington Police Officer Brian Peterson shoots during the Pistol Shoot-Off event at the 2006 invitation-only World SWAT Challenge held in April at Little Rock, Arkansas. Lexington's SWAT team came in third in the competition after being seventh last year. The SWAT – Special Weapons and Tactics – team competed against 22 others, including GSG-9, a world-famous anti-terrorist special operations group from Germany, which placed first in the challenge.



## ■ State Park Rangers Take the Plunge for Special Olympics

/By Sgt. Bryan Cole, Park Ranger



▲ Ranger Trent Kelly from Pine Mountain State Resort Park participated in the Polar Bear Plunge and raised \$2,700 in support of Special Olympics.

The third annual Special Olympics Polar Bear Plunge brought Kentucky State Park rangers from all over the state to participate in a unique fundraiser. Col. Joey Hoover, director of the ranger division, led a group of 14 rangers in the plunge into the 44-degree water, including Lt. Paul Brooker and Sgt. Bryan Cole of the central office; Matt Cope, Kingdom Come State Park; Shawn Heighton and Matt Smith of Greenbo Lake State Resort Park; Darrell Tomlinson, General Butler State Resort Park; Lisa Epperson General Burnside State Park; Jamie McCutchen, Dale Hollow Lake State Resort Park; Trent Kelly, Pine Mountain State Resort Park; Patrick Younts, Natural Bridge State Resort Park; Dave Peterson, Carter Caves State Resort Park; and David Goode, Green River Lake State Park.

In addition to those who took the plunge, eight ranger personnel provided moral support from the dry and comfortable confines of the boat ramp. In raising \$15,809 the ranger division received honors includ-

ing: the largest law enforcement team and the team with the highest total collection. Ranger Matt Cope from Kingdom Come State Park earned the title of King of the Polar Plunge with a donation of \$5,003. Participation in the plunge served two goals –fund-raising efforts for a worthy cause and increasing teamwork and camaraderie.

Not only did the rangers receive recognition from the Department of Parks and from their local communities, but also they received a citation from the Kentucky General Assembly commending them for their contribution to the Commonwealth.

“I am very pleased with how our rangers have responded with being challenged to become more involved in community service projects,” Hoover said. “Our participation as a group in the third annual Lake Cumberland Polar Bear Plunge created a lot of excitement and good-natured competition among the rangers, and helped to raise some needed money for a very important cause – Special Olympics of Kentucky.”

## ■ James Vaughn, Former Sheriff of Jefferson County, Dies at 68 /DOCJT Staff Report

James M. Vaughn, a career law enforcement officer who overhauled the Jefferson County sheriff's office following a period of turmoil, died April 17 at Norton Audubon Hospital. He was 68.

Vaughn won the 1993 campaign for sheriff, becoming the first Republican elected to the office since 1965.

Vaughn had been a member of the Jefferson Board of Elections and “was determined that there be no monkey business” in voting when he ran, former county GOP Chairman Bill Stone said.

Vaughn succeeded Bremer Ehrler, who had completed the term of Jim Greene following Greene's 1993 resignation.

Vaughn revamped the pay structure of the office and established a merit board. He also required 10 weeks of training for deputies.

“I think I've been able to give most of them (deputies) something they have never had before: self-respect. I think they like the taste of it,” Vaughn said of his tenure.

Vaughn was defeated in the 1998 campaign by Democrat John Aubrey and retired the next year to end a 38-year law enforcement career.

Vaughn had joined the Louisville Police Department in 1961 as a patrolman and moved to the Jefferson County Police Department in 1966 as a detective.

In 1969, he became a special agent in Indianapolis, investigating organized crime and public corruption, and went to Cleveland in 1975 to head a federal strike force as a senior special agent.

Two years later he joined the federal Bureau of Alcohol, Tobacco and Firearms, in charge of its Toledo, Ohio, field office. From 1979 to 1983, Vaughn worked at ATF headquarters in Washington, D.C., where he headed the counter-terrorism program and developed national enforcement programs.

He returned to Louisville in 1983, where he was resident agent in charge of the local ATF field office, supervising investigations in Louisville and Southern Indiana, until he ran for sheriff. He was also a member of the Kentucky Peace Officers' Association.

## ■ First Lady Glenna Fletcher Launches Statewide Campaign Against Underage Drinking



**F**irst Lady Glenna Fletcher along with the Office of Drug Control Policy, Kentucky State Police and the Office of Alcohol Beverage Control recently

announced a statewide campaign against underage drinking with a series of town hall meetings to take place across the Commonwealth. The town hall meetings are an opportunity to educate parents, teachers, officials, youth and other community members about the impact of underage drinking.

First Lady Glenna Fletcher will serve as Kentucky's honorary chairperson as part of a national campaign sponsored by the U.S. Department of Health and

Human Services in partnership with the Ad Council.

"Underage drinking is a serious issue we cannot ignore. The need for a public education campaign about the risks of underage drinking is absolutely crucial," Fletcher said. "In Kentucky alone, approximately 165,000 youths drink each year. We must continue to focus on prevention and education efforts to reduce underage drinking in the Commonwealth."

"Although drinking under the age of 21 is illegal in all 50 states, there are still more than 10 million children in this country who drink alcohol illegally. On average, they start drinking when they are 13 years old," said Teresa Barton, executive director of the Office of Drug Control Policy. "Alcohol is far and away the most abused drug by American children."

"I cannot emphasize enough the importance of this campaign," Fletcher said. "Parents have to realize this is not a problem affecting other people's children. The numbers are very telling. This is every community's concern and will require every community's efforts."

Kentucky communities chosen to participate in the program will receive a stipend of \$1,000 from the federal Substance Abuse and Mental Health Services Administration.

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To view a list of scheduled town hall meetings in Kentucky visit [www.stopalcoholabuse.gov](http://www.stopalcoholabuse.gov) and click on "Town Hall Locations." For more information on Leadership to Keep Children Alcohol Free visit [www.alcoholfreechildren.org](http://www.alcoholfreechildren.org).

## ■ Drug Task Force Wins National Recognition

/Maj. Lisa Rudzinski, Kentucky State Police

**A** Kentucky multi-agency marijuana eradication team recently received a citation and a Director's Award for Distinguished Service from the White House Office of National Drug Control Policy for its efforts in 2005.

The Kentucky Eradication Task Force is comprised of KSP, the Kentucky National Guard, the U.S. Forest Service, the U.S. Marshal Service, the Drug Enforcement Administration, Kentucky Motor Vehicle Enforcement, the Civil Air Patrol, the Appalachia HIDTA Intelligence Center and numerous local agencies.

"Last year, this task force helped to eradicate more than one billion dollars worth of

marijuana," KSP Commissioner Mark Miller said. "Since Kentucky is ranked as one of the top five marijuana producing states, this hard work has had a definite impact by taking drugs off the streets in communities throughout Kentucky and around the country."

Miller added that the task force's success is especially relevant considering the increased use of marijuana by 12 to 17-year olds according to the 2004 National Survey on Drug Use and Health.

The Director's Award, signed by ONDCP Director John P. Walters, was presented "in honor and in great appreciation of the individuals whose outstanding accomplish-

ments greatly enhanced the results of The National Marijuana Eradication Initiative, your remarkable efforts have helped protect America from crime, drugs and violence."

The citation praised the interagency flight and eradication operations and intelligence, investigations and surveillance activities of the task force. "Their efforts," it said, "resulted in the eradication of more than 450,000 marijuana plants and seizures of more than 1,100 pounds of bulk marijuana, 90 weapons, \$172,000 in cash and property and the arrest of 174 suspects involved in drug-related operations."



## Deputy Drug Czar Addresses Student Drug Testing Summit

“We have a problem with drugs and we need to deal with that problem in all of the ways that are available to us,” according to Mary Ann Solberg, deputy director of The Office of National Drug Control Policy.

“Random drug testing in schools gives students the opportunity to say no to drugs and deter students from use,” she added in a presentation to the Kentucky Student Drug Testing Summit sponsored by Kentucky’s Office of Drug Control Policy and ONDCP.

More than 200 principals, teachers, school system admin-

istrators and concerned parents attended the conference at The Brown Hotel in Louisville to gather information from speakers as well as from schools that have experienced a decline in drug use since implementing student drug testing programs.

“Kentucky educators have been asking for more information on student drug testing, the legal ramifications and the costs to provide testing,” said Teresa Barton, executive director of ODCP. “Kentucky has a problem with drug use in schools and we believe random drug testing in schools is one tool that can be used as a deterrent.”

## DOCJT Comings & Goings

### TRANSFERS

**Kris Bowerman** transferred from the Technical Services Section to the Information Systems Branch on 04/16/06.

**Jerry Huffman** transferred from the Incident Command Section to the General Studies Section on 03/16/06.

### PROMOTION

**Scotty Saltsman** was promoted to Law Enforcement Section Supervisor on 03/16/06.

**Patty Davidson** was promoted to Law Enforcement Training Instructor III on 04/01/06.

**Fernando Alfaro** was promoted to Law Enforcement Training Instructor II on 04/01/06.

**George Barrett** was promoted to Law Enforcement Training Instructor III on 04/16/06.

**Pat Howard** was promoted to Law Enforcement Training Instructor III on 04/16/06.

### GOINGS

**John Lile** resigned from the Police Corps Section on 01/31/06.

**Jeff Lewis** resigned to pursue other career opportunities on 02/24/06.



**Help KWLEN  
RAISE THE ROOF  
in 2006**

**The Kentucky Women's Law  
Enforcement Network**  
is looking for volunteers to participate in a  
*Habitat for Humanity build*  
*June 29, 2006*

For more information on how you can get involved, contact KWLEN Secretary  
Jennifer Lube at [tod.lube@us.army.mil](mailto:tod.lube@us.army.mil) or (859) 797-5685

## ■ Lt. Governor Pence and ODCP Award Nearly \$500,000 for Community Corrections Recovery Programs

Eight Kentucky detention centers receiving grant money

**L**t. Governor Stephen B. Pence, who also serves as the secretary for the Justice and Public Safety Cabinet, announced the Office of Drug Control Policy awarded nearly \$500,000 in Community Corrections Recovery Pilot Program grants to eight Kentucky detention centers.

The grants are focused on establishing programs, financial policy and administrative guidance for full-service local correctional/detention facilities for providing substance abuse treatment programs for inmates, parolees, shock probationers and Halfway Back participants.

"We cannot just be tough on crime; we also need to be smart on crime," Pence said. "It is not enough to lock people up and throw away the key. If we invest resources while they are incarcerated in helping them prepare to re-enter society, providing job training and treatment for substance abuse, for example, we make our communities safer by reducing the chance ex-prisoners will return to a life of crime."

"We must end the revolving door. We are releasing offenders from prison, only to have them go back out and re-offend because they are still drug addicts," said Teresa Barton, executive director of ODCP. "The plan to focus on treatment, prevention-education and law enforcement is long overdue."

Daviess, Hardin, Kenton, Marion and Mason counties will use funds to enhance their existing jail treatment programs. Breckinridge, Pike and Powell counties will pilot new substance abuse programs.

### 2006 Community Corrections Recovery Program Grants

Detention Center	Awards
Breckinridge County	\$65,000
Daviess County	\$30,000
Hardin County (female)	\$175,000
Kenton County	\$25,000
Marion County	\$54,220
Mason County	\$25,000
Pike County	\$60,753
Powell County	\$65,000

## ■ Knott County Central High School Student Recognized By Kentucky State Police



▲ On behalf of the Kentucky State Police Professional Association, Lt. Todd Henson presented a \$500 check to David Stamper, assistant principal of Knott County Central High School, at the Boy's Sweet Sixteen High School Basketball Tournament in Lexington on March 18. The association donated the money to the school in recognition of Martin Patrick, a Knott County Central student, who placed first in KSP's Drive To Stay Alive program.

**M**artin Patrick, a Knott County High School student from Emmalena, was recently named the top performer in KSP's Drive To Stay Alive program. Patrick received a \$2,500 scholarship from the Kentucky Automobile Dealer's Association for promoting highway safety and seat belt use among teenagers. His school received a \$500 check from the Kentucky State Police Professional Association.

"Of the 985 people who died on Kentucky roadways last year, 101 were teenagers," KSP Commissioner Mark Miller said. "Sixty-three of these teens were not wearing seat belts. In order to reduce these needless deaths, we must educate our young people that the use of seat belts is one of the best defenses in a motor vehicle collision."

In October 2005, Patrick joined 22 students from 18 high schools for the five-day Drive To Stay Alive training program in Frankfort. Certified driving instructors from the KSP Academy provided the training. The course included

topics such as vehicle dynamics and skid control, safety belts and airbags, impaired driving, off-road recovery, evasive maneuvering, controlled braking, multiple turns and lane interchange.

The students also received three days of hands-on driving instruction at the Kentucky Speedway in Sparta.

After completing the course, the participants were provided with educational materials and programs for use in presentations to their fellow students in their home school districts. They were also partnered with a KSP trooper.

The students were evaluated on the number of programs presented, seat belt pledges signed, media interviews and stories generated, increased use of seat belts observed on school grounds and other activities emphasizing highway safety.

Patrick's winning effort included 61 highway safety presentations to students and more than 1,100 seat belt pledges signed.



## COMPOSITE DRAWING TRAINING OFFERED BY KSP

The Kentucky State Police Central Laboratory is hosting three courses on Composite Drawing for Law Enforcement from September 11 to 15. Rick Parks and Carrie Stuart Parks of Stuart Parks Forensic Consultants are premiere instructors for composite art drawing in the country and will be providing the instruction. Both instructors have extensive training and have taught law enforcement officers across the nation to be composite artists. Their training includes instruction from the FBI Academy.

Studies have shown that free-hand composites by trained law enforcement are more cost effective and versatile than computers or kits. It is also proven that the skill necessary to draw a composite is learnable by the average person with average hand-eye coordination.

Composites are a useful and necessary part of any unknown suspect investigation. Composite-art skills are desirable for all types of investigations including crimes against persons, property crimes, fraud investigations and sexual assaults. The composite art skills are also absolutely necessary to any agency investigating attempted child abductions.

The courses taught will be Composite Drawing for Law Enforcement, Certification for Composite Artists and Composite Drawing Workshop I. All classes are 40-hour, one-week format. The classes will be held at the Kentucky State Police Central Lab located at 100 Sower Boulevard in Frankfort, Kentucky.

Composite Drawing for Law Enforcement is an entry-level course for officers training to become composite artists and no previous drawing experience is necessary. Upon completing the course, officers should be able to successfully draw a composite drawing from the memory of a witness or victim in order to aid in identification of unknown suspects. The course subjects will include: drawing the face, facial features; setting up a composite unit; history of forensic art; identification and perception; the three methods of drawing composites; hands on skill development; the cognitive interview; and signs of deception.

Composite Drawing Workshop I is a refresher and skill development for students who have completed the entry-level course. This course will upgrade and expand on their skills in the composite drawing field. Course subjects include: aging the face, multiple witness interviews, drawing women, drawing accessories (hats, glasses, etc), Mongolian and female racial groups, and heavy faces.

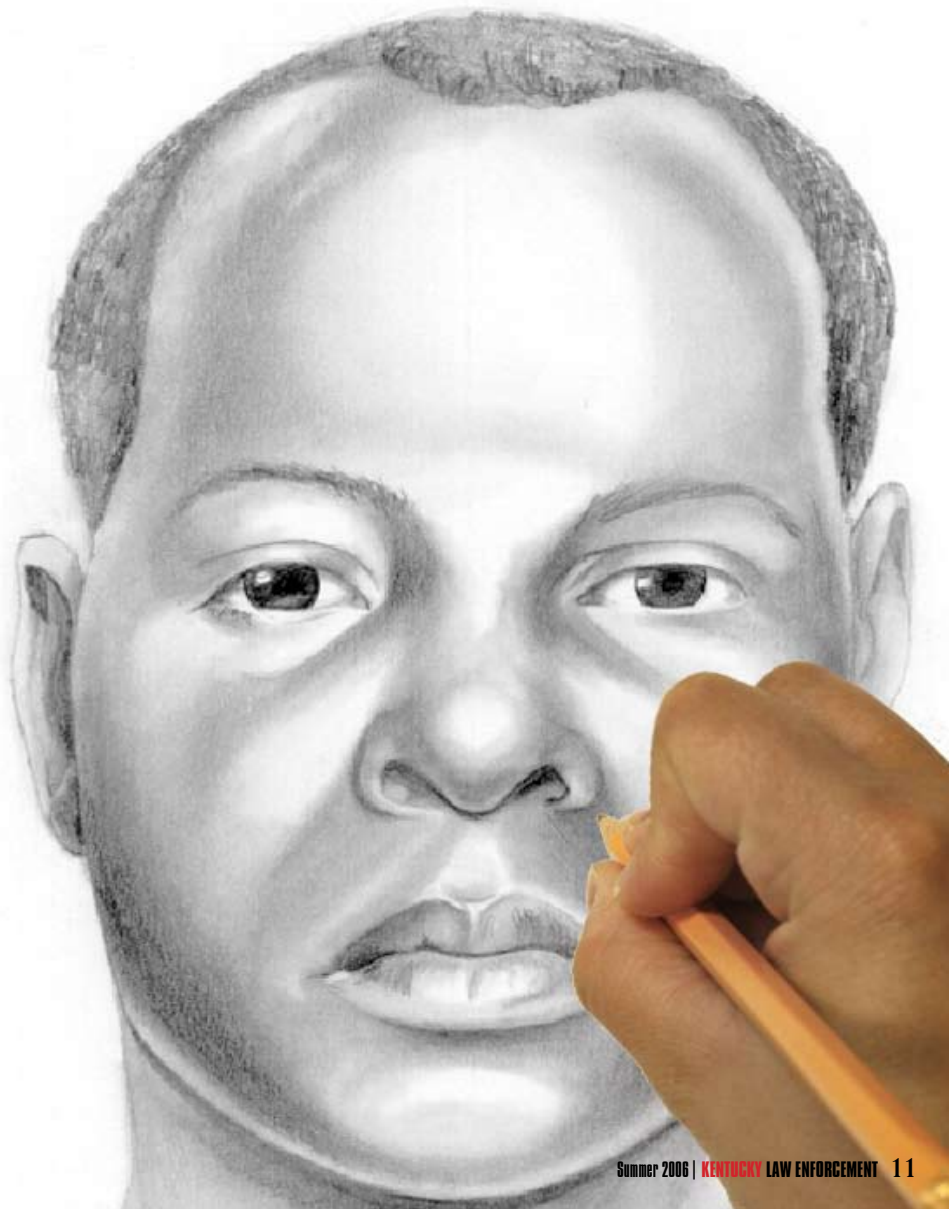
Certification for Composite Artists is a course that formally acknowledges and certifies the skills of previously trained composite artists. The course will also test the student's general knowledge of forensic art and interview skills. Students should have completed the Composite Drawing for Law Enforcement

and Workshop I classes before attending the Certification class.

The fee for each class is \$650.00. Students attending the Composite Drawing for Law Enforcement class will also be responsible for supplies needed to complete the class. Supplies can be purchased for an additional fee through Stuart Parks Forensic Consultants or a supply list will be provided upon request. ■

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Early registration is encouraged. For more information or to enroll contact: Carrie Stuart Parks, P.O. Box 73, Cataldo, ID 83810. (208) 682-4564 fax (208) 682-4773 or [www.stuartparks.com](http://www.stuartparks.com)





## DOCJT Presents CDP Certificates

### /DOCJT Staff Report

The Career Development Program is a voluntary program that awards specialty certificates based on an individual's education, training and experience as a peace officer or telecommunicator. There are a total of 14 professional certificates, nine for law enforcement and five for telecommunications. The variety of certificates allows a person to individualize his or her course of study, just as someone would if pursuing a specific degree in college.

The Kentucky Law Enforcement Council congratulates and recognizes the following individuals for earning career development certificates. All have demonstrated a personal and professional commitment to their training, education and experience as a law enforcement officer or telecommunicator.

#### ADVANCED LAW ENFORCEMENT OFFICER

**Ronnie Allen**, Covington Police Department  
**Michael Arrowood**, Covington Police Department  
**Carl Bee**, Elizabethtown Police Department  
**William Bland**, Elizabethtown Police Department  
**Timothy Cleary**, Elizabethtown Police Department  
**Daniel Fern**, Erlanger Police Department  
**Timothy Fortner**, Murray Police Department  
**Wayne Grant**, Eastern Kentucky University Police Department  
**Raymond Haley**, Covington Police Department  
**Jack Harris**, Elizabethtown Police Department  
**Kenneth Holstein**, Covington Police Department  
**Danny Miles**, Covington Police Department  
**Bradley Miller**, Elizabethtown Police Department  
**Timothy Thames**, Erlanger Police Department  
**Carol Schilling**, Eastern Kentucky University Police Department

**Troy Vines**, Erlanger Police Department  
**James Wilson**, Richmond Police Department

#### BASIC TELECOMMUNICATOR

**Rebecca Allnutt**, Kentucky State Police  
**Charlotte Benton**, Fleming Co Sheriff's Office  
**Lisa Bingham**, Elizabethtown Police Department  
**Tomba Brown**, Frankfort/Franklin Co 911  
**Kenneth Burns**, Kentucky State Police  
**Wesley Casey**, Jessamine Co 911  
**Melissa Eddy**, Kenton Co Police Department  
**Connie Faris**, Fleming Co Dispatch  
**Leigh Farris**, Kentucky State Police  
**Kimberley Gillespie**, Logan Co 911  
**Brandon Graham**, Campbellsville 911  
**Tiffany Heady**, Elizabethtown Police Department  
**Jennifer Hedges**, Frank-

fort/Franklin Co 911  
**Brian Hudnall**, Logan Co 911  
**David Jones**, Frankfort/Franklin Co 911  
**Jason Long**, Kentucky State Police  
**Varita Maddox**, Frankfort/Franklin Co 911  
**William McClain**, Frankfort/Franklin Co 911  
**Jon McGehee**, Muhlenburg Co 911  
**Earl Mitchell**, Frankfort/Franklin Co 911  
**Lauren Murphy**, Logan Co 911  
**Kathy Perkins**, Jessamine Co 911  
**Jennifer Price**, Elizabethtown Police Department  
**Dale Ralston**, Kentucky State Police  
**Jerry Shane Ratliff**, University Of Kentucky Police Department  
**Merlene Reynolds**, Elizabethtown Police Department  
**Amy Richards**, Versailles Police Department  
**Amanda Roberts**, Kentucky State Police  
**Joanna Sawalich**, Frankfort/Franklin Co 911  
**Sam Scarborough**, Murray State University Public Safety  
**Jerri Scott**, Kentucky State Police  
**Katie Sewell**, Frankfort/Franklin Co 911  
**Steven Standifer**, Frankfort/Franklin Co 911  
**Dianne Stewart**, Grayson Co E911  
**Derrick Taylor**, Frankfort/Franklin Co 911

**Jessica Wooldridge**, Frankfort/Franklin Co 911  
**Kevin Woosley**, Kentucky State Police

#### INTERMEDIATE LAW ENFORCEMENT OFFICER

**Ronnie Allen**, Covington Police Department  
**Michael Arrowood**, Covington Police Department  
**Robert Auton**, Covington Police Department  
**Carl Bee**, Elizabethtown Police Department  
**William Bland**, Elizabethtown Police Department  
**Timothy Cleary**, Elizabethtown Police Department  
**Daniel Fern**, Erlanger Police Department  
**Daniel Grant**, St. Matthews Police Department  
**Wayne Grant**, Eastern Kentucky University Police Department  
**Raymond Haley**, Covington Police Department  
**Jack Harris**, Elizabethtown Police Department  
**Kenneth Holstein**, Covington Police Department  
**Danny Miles**, Covington Police Department  
**Bradley Miller**, Elizabethtown Police Department  
**Ronnie Mosby**, Glasgow Police Department  
**Carol Schilling**, Eastern Kentucky University Police Department  
**Timothy Thames**, Erlanger Police Department  
**Clinton Turner**, Elizabethtown Police Department

ment  
**Troy Vines**, Erlanger Police Department  
**Virgil Willoughby**, Elizabethtown Police Department  
**James Wilson**, Richmond Police Department

#### INTERMEDIATE TELECOMMUNICATOR

**Bronda Galbraith**, Mayfield Police Department

#### LAW ENFORCEMENT CHIEF EXECUTIVE

**Shane Allison**, Eddyville Police Department  
**Danny Caudill**, Harlan Police Department  
**Michael Kendall**, Paris Police Department  
**Anthony Kramer**, Edgewood Police Department  
**Charles Mayer**, St. Matthews Police Department

#### LAW ENFORCEMENT EXECUTIVE

**Carl Bee**, Elizabethtown Police Department  
**Troy Dye**, Elizabethtown Police Department  
**Kathleen Eigelbach**, St. Matthews Police Department  
**Jack Harris**, Elizabethtown Police Department

#### LAW ENFORCEMENT MANAGER

**Troy Dye**, Elizabethtown Police Department

#### LAW ENFORCEMENT OFFICER INVESTIGATOR

**Maurice Lykins**, Paris Police Department  
**James Ryan**, Edgewood Police Department


#### LAW ENFORCEMENT SUPERVISOR

**Troy Dye**, Elizabethtown Police Department  
**Stephen Ellison**, Campbell County Police Department  
**Wayne Grant**, Eastern Kentucky University Police Department  
**Danny Miles**, Covington Police Department  
**Carol Schilling**, Eastern Kentucky University Police Department

#### LAW ENFORCEMENT TRAFFIC OFFICER

**Ronnie Allen**, Covington Police Department  
**William Bland**, Elizabethtown Police Department  
**Lewis Christopher**, St. Matthews Police Department  
**Jesse Cummins**, St. Matthews Police Department  
**Bradley Miller**, Elizabethtown Police Department  
**Troy Vines**, Erlanger Police Department

#### TELECOMMUNICATION SUPERVISOR

**Robert Burton**, Richmond Police Department  
**Bronda Galbraith**, Mayfield Police Department  
**Donna Roberts**, Frankfort/Franklin Co 911 





DONALD R. MAXWELL  
CITY COMMISSIONER



# LIFELONG CAREER

/Abbie Darst, Public Information Officer

A career in law enforcement requires a special type of individual, one willing to commit his time, energy and possibly even his life to protect and serve the community in which he lives. Knowing the risks, the hazards and the hardships, Chief Tom Kelley chose to serve the people of Ashland through the Ashland Police Department for 43 years – longer than any other officer has served in law enforcement in the state of Kentucky. But for Kelley, the dangers and hard decisions faced on a daily basis never outweighed the sense of pride he felt in knowing that at the end of the day he'd helped someone, whether in a small way or in a moment that changed a life forever. As Kelley hangs up his uniform for the last time, he looks back over his 43 years of dedication, recalling the good and the bad and reflecting on how he was able to learn from every situation and each person he encountered during his long and illustrious career.

**More than 40 years ago when you joined the Ashland Police Department, what made you choose law enforcement as a career?**

At that particular time, the main industry in Ashland was ARM Co. Steel, now AK Steel, and layoffs were bad. I was looking for a job and this job came open. I applied and got it. It wasn't really like I wanted to be a cop all my life. It was just a job opportunity with fairly decent pay at the time and benefits and that's what I was interested in.

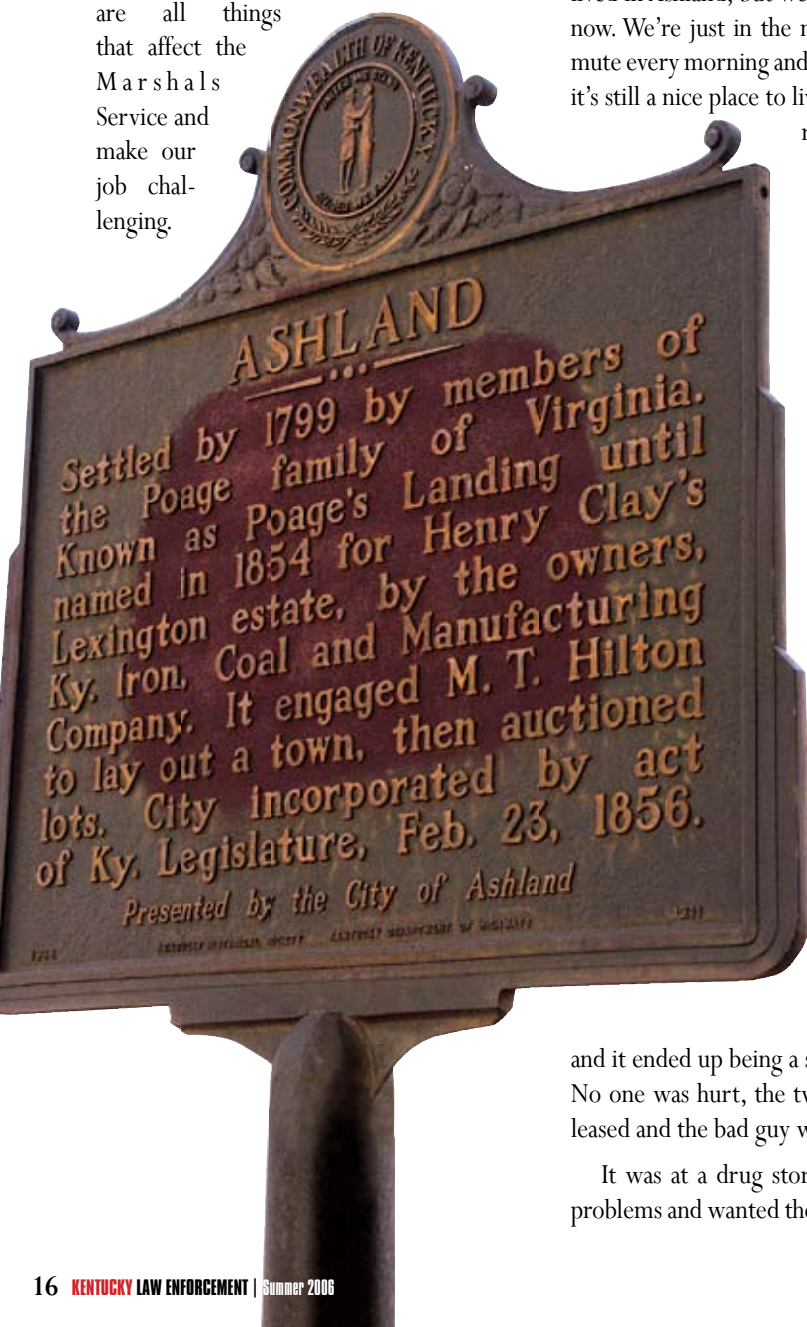
**What types of issues do you deal with that are specific and unique to the Eastern District of Kentucky?**

Our district is very unique. We have five federal prisons in the Eastern District of Kentucky – more than any other district in the country. And because we're the lead agency in the apprehension of federal fugitives, any time a person escapes from one of these federal prisons in the Eastern District of Kentucky, it's our case. They also generate work for us because every time a prisoner has to go to a court hearing we have to do that too. Unfortunately, in the Eastern District of Kentucky, especially in far east-

>>

>> ern Kentucky, in the mountains, there's been a history of corruption in some local law enforcement and so many cases end up in federal court, which normally would not be in federal court. An example of some of the reputation that eastern Kentucky has is when Sheriff Sam Catron was murdered at a political fundraiser in Pulaski County. The eastern Kentucky mountains present us challenges.

I would say along with the prisons and the problems in the eastern Kentucky mountains with drugs and corruption, we also deal with vote buying. These are all things that involve the Marshal Service. The vote-buying trials, the political corruption and the drug problems in the eastern Kentucky mountains are all things that affect the Marshals Service and make our job challenging.



After entering the field of law enforcement, was there ever a time when you wished you had chosen something else or did you immediately fall in love with this job?

Oh, I immediately loved it. It's a fun job if you're young, aggressive, and ready to go. It was a fun job and nice people to be working with.

Communities were very different in the 1960s than they are today. What was it like to be a police officer in those early years of your career? Was it more challenging or less challenging than today?

The job is difficult because of all the restrictions that the courts and the laws have put on the police officer. At one time Ashland was a community where everybody worked and lived in Ashland, but we're a commuting city now. We're just in the middle of a big commute every morning and every afternoon. But it's still a nice place to live and a nice place to raise a family.

What is one of your most vivid memories from your career?

The most vivid memory that I have that affected me personally was that my daughter was taken hostage in an armed robbery one time. And I guess the most frustrating thing was to be there seeing it going on and not being able to participate. But, I felt pretty good about it because the people who were handling the situation were following the book and doing everything right

and it ended up being a successful resolution. No one was hurt, the two hostages were released and the bad guy went to jail.

It was at a drug store. He had had some problems and wanted the pharmacist to inject

a lethal dose of some type of medicine – he was trying to commit suicide. The pharmacist injected the medication only to the strength to put him out.

The field of law enforcement has changed dramatically in the past 40 years. What do you view as some of the biggest and most beneficial changes?

I look at changes in two areas that have changed dramatically. One is training. When I came on the Ashland Police Department, it was strictly on-the-job training and look where it is now. The training in Kentucky is second to none in the United States. We have instructors come in from all over the United States and they tour the facility in Richmond, and see what is going on there. They always have some positive remarks. It is just second to none. My formal training, of course, was on the job. A nearby city, Huntington, West Virginia, had a basic recruit class and I got to attend a couple of weeks of those things that weren't related to West Virginia.

But training is number one, and then technology. In 1963 if you needed a mug shot from Charleston, West Virginia, you'd get it in the mail two days later. Now you get it in two seconds through e-mail. It's just amazing what's being done. Fingerprinting from then to where it is now – it's done automatically, it's automated. Those two areas boggle my mind. Where's it going to be 43 years from now for the new recruit that just started out on the street – I have no idea.

Training has also been the most beneficial change. I had a son go through Basic Training and he's a police officer now, and I felt very confident that when he came out of that academy that things were done right and that he was capable and qualified to go be a police officer on the street. That has given me a lot of encouragement with my new police officers that when they come out, they're going to be the best trained and ready to go. The training is just second to none.

Where would you like to see law enforcement go in the next 40 years?

I guess only to enhance certain things related to the training and the technology – that they'd let their minds go where it may and



just see what happens. There are other things being done now – like the Command Decisions class, and the whole leadership thing. Also, bringing people in and sitting them down and getting their suggestions. I would hope that they would always get input from those that are out in the streets doing the job and see what they need.

**Do you feel that during your career you were given enough chances for your input to be listened to in decisions regarding law enforcement?**

In two or three areas, yes. Locally, our city always has input from department heads and from the police officers that are out on the street doing the job. We've always worked well with the Fraternal Order of Police and those things that, over the years, they've worked hard to get. And at the state level, I can't say enough of what DOCJT is doing down there to put the best police officers on the street that they can. And that's always committees. It's always input, input. It's not someone sitting there in an office with one little window looking out and making a decision. Instead, they say let's bring them in from all over the state and get an idea. It's a lot like what we did back in 1969 that kind of got all this started.

**What was the goal of the Kentucky Crime Commission Task Force that you served on in 1969?**

Governor Louie Nunn brought police officers from the state, county and local levels, and had them sit down for a couple weeks in Frankfort and just kind of brainstorm where would we like to go, and the results of that are what we have today – a training facility. It started out with the basics, going back to the old trailers that we had used to go across the state. I think we had two at the time from the west end and the east end of the state. Statewide uniform crime reporting, statewide standards that we have now, having certain standards for a young man or woman to get into policing. Just all these things that we have now were started back in 1969 by a group of police officers that had a vision.

Give Governor Nunn credit – or his staff – for getting these things implemented and then just letting it go from there.

**What was it like for you to be a part of that task force?**

I was probably the youngest member on it. I was a sergeant then, and looking at people that you've heard about but never seen before like E.C. Hale, chief from the Lexington



▲ Tom Kelley shakes hands with Governor Louie Nunn during the 1969 Kentucky Crime Commission Task Force meeting.

▲ Members of the 1969 Kentucky Crime Commission Task Force.





>> Police Department. You're thinking, this guy runs the Lexington Police Department. Chief Bob Holt from Paducah and Capt. Al Garnick from Newport. So you see it was spread out all across the Commonwealth. Louisville was represented and I think Jefferson County and Fayette County. Bob Plomski, that's where I first met him, later became an instructor at DOCJT. So it was just really interesting to see that happen and see it evolve – and to be around to see it happen.

“If you don't have common sense then you've wasted a lot of time.”

Unfortunately, some of those people that were on that committee aren't here anymore. That's where I met Capt. Morris Carter. It was Maj. Carter, I do believe, at that time at the Lexington Police Department. So here are these old guys that have been around a while, but yet they listened to them and they listened to young guys like me that had a few ideas. And it takes both, people who have the experience and the young ones with the fresh ideas. You can't get to where you're going if you don't know where you've been.

**What do you look forward to the most about retirement?**

Being a police officer and being at the levels that I've served it takes a lot of weekend time, middle-of-the-night calls, family outings and things that are cut short. I hope that I'll be able to spend a little bit more time with my family – new grandfather things right now and those things that maybe I missed out on with my own kids and maybe I can make up for it another way. But I have no desire to go into any other type job. I just want to spend some family time and do the little garden and be a grandfather, things like that.

**After such a long career, what aspect of being a full-time law enforcement officer/chief**

**do you think you'll miss the most?**

Being with the people. I'm a people person. I don't miss the agony that people have to go through or the misery and the things that I've witnessed. But I will miss being able to associate with all levels of the community and the fine young men and women on this police department and other agencies in the area that you work with. They're a special breed. It takes a special individual to be a cop on the streets today and I'm glad I was able to be a part of that.

**What do you think were the benefits of staying with the same department for 43 years?**

That's a tough one. I guess just being able to start something and being able to accomplish something at the end and not having to start over. If you go from one department to another, you kind of do that. A former chief came in here one time from out of town, it was the first one we'd had, and he said he would be here from three to five years. And in his past that had happened, but it had started to affect his family and the raising of their son and being able to establish without having to pick up and move somewhere else. So the advantage is the stability, being able to stay here with my friends and family that I've grown up with and work with them. I never had any desire to leave.

**What is the most vital piece of advice you have to offer young recruits just entering the field of law enforcement?**

It's an old thing about God gave us two ears to listen with and one mouth to speak with – listen, listen.

**Despite all the exceptional training that you've talked about law enforcement of-ficers receiving at the academy these days, do you still feel like there is some part of the job that has to be learned on the street?**

It's hard to teach common sense and that is a big part of it. DOCJT provides these police officers with what they need, but I don't know how you can teach common sense. But that's a big part of it. If you don't have common sense then you've wasted a lot of time.

**Who has been the most influential person to you throughout your law enforcement career?**

The first chief that I had, Louis Mutters, gave me some golden opportunities to pursue my career. Former Chief Ron McBride allowed me to grow, allowed me to do a lot of things on my own that a lot of times he didn't agree with, but he at least gave me the opportunity to grow that way. My first field training officer 43 years ago gave me some good common sense guidance and advice. Maybe that's why I dwell on that, but he played a big part in it. And also many of the older officers I worked with taught me a lot. It all boils down to using good common sense and being able to do the things that are right and to follow all the requirements that are placed before you in order to try to get the job done.

**As you look back on your career, are there any memories or moments that stand out to you that you want to share?**

You think back and you remember the tragedies, and you try to erase those. A police officer that you worked with and admired was shot and he's now bound to a wheelchair for the rest of his life. Those things you don't forget. Some of the things that you had forgotten about is you run into an individual on the street that says, 'You don't remember me but you did this, you did that.' It is great knowing that you did some things that were right. I had a young man walk into the office here a few years ago and say, 'I want you to meet my granddaughter. Had you not given me an opportunity, had you not believed in me, had you not done this, this wouldn't have happened, and I just wanted to say thank you for doing that.' So I guess there's a lot of things that you've done that you didn't know that you'd done, just by doing your job and when these people come in and say 'hey, thanks,' you figure you made a difference and that helps make up for the bad things. ■

## Book Review

# 101 Creative Problem Solving Techniques

REVIEWED BY /Rick Schad, Instructor II, DOCJT Basic Training Branch

Police officers are problem solvers. Throughout Basic Training, Professional Development, and while in their actual work environment, officers face challenges under stressful and emotional circumstances. Time seems to always be a factor and split-second decision-making is the order of the day. Where do the decisions and options come from? Is there a process or technique officers can freely employ to creatively gain the upper hand as they meet the demands of a modern society caught in the throes of constant evolution and socioeconomic change? The good news is there is not just one technique, and officers are free to explore and experiment with the different techniques to find what works best for them.

A great resource for seeking out problem solving techniques is *101 Creative Problem Solving Techniques* by James M. Higgins. This book is broken down into seven chapters covering 241 pages. How up to date is it? The latest revised edition is copyrighted in 2006, making it current and effective for contemporary problem solving.

The first 20 pages of the book reveal the importance of creativity and innovation in the work force. Higgins even points out that superior ratings on annual evaluations require employees to create or innovate something. Just coming to work every day dressed appro-

priately doesn't place you above your peers. Bottom line, law enforcement demands new ideas and concepts that will allow us to keep pace with our changing environment.

Industry and educational institutions require responsible risk taking according to Higgins, just to stay alive. Whirlpool went so far as to train its employees in creativity and innovation. A dedicated work force brain-

stormed and streamlined new life into the company. Isn't it time that those of us working in law enforcement take on the same mindset? Higgins points out, "The product of the creative effort need not be a tangible physical object. It may be an idea, an association of facts, an insight, or a more effective or efficient process as well as a new or enhanced product or service."

By expressing this view to our police officers, they will come

to understand that their ideas and thoughts are important, respected and desired. After all, they are stakeholders in the immediate improvement of police services and public relations, as well as the communities they police.

Higgins reveals his eight basic stages in the creative problem-solving process and describes them in detail. He does a good job of explaining how to recognize and identify problems. He also reveals techniques for creative problem solving. Even though Higgins

focused upon corporate America, his techniques and processes can easily transition into police problem solving.

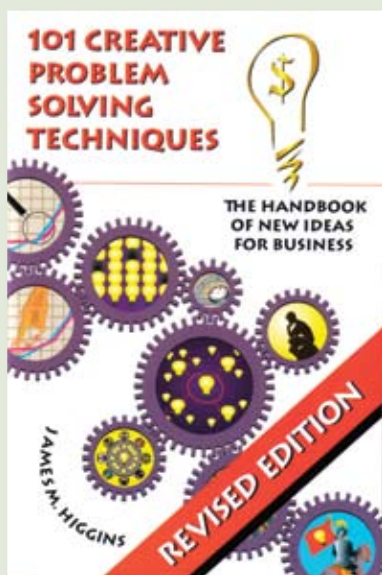
Although we have discussed creativity in police work at all levels and have been given opportunities to express the importance of creativity in our problem solving, we have yet to delve into processes that guide us to action plans and solutions. *101 Creative Problem Solving Techniques* opens up a road map for would-be creative explorers, for officers who want to add to their problem solving toolbox.

On a personal note, some of my favorite techniques from *101 Creative Problem Solving Techniques* are:

- association,
- attribute listing,
- mind mapping,
- rolling in the grass of ideas,
- visualization.

Higgins advises us to carry a pocket notebook or some other means for recording thoughts or ideas. He claims we have ideas at various times regardless of what we're doing. If those ideas are not recorded, more than likely they slip into the forgotten abyss. They are still in your head, you just don't have the ability to retrieve them. So take a moment or two to jot those ideas down while they are fresh.

This book lists for \$19.95. It reads easily and is broken down in a simple, fun format. Higgins' examples of creative problem solving in the workforce depict companies that are easily identifiable, making this an up-to-date reference guide that offers police officers problem solving techniques they can employ immediately. 🍌



# A Fitting





# TRIBUTE

Kentucky Law Enforcement Ceremony  
Honors the Sacrifice of Four Fallen  
Kentucky Officers

/Abbie Darst, Public Information Officer

Amid the anxious excitement of a call and the thrill of the chase, the goal of every law enforcement officer is to go home safely at the end of the shift. Unfortunately, along with the great responsibilities entrusted to each officer, come immense danger and self sacrifice. The Kentucky Law Enforcement Memorial is a tribute to all Kentucky officers who have made the ultimate sacrifice while serving their communities.

“With the etching of their names in this memorial, these names are etched into the shared memory of the Commonwealth citizens,” said William Walsh, Kentucky Law Enforcement Council chairman, during the Kentucky Law Enforcement Memorial Ceremony May 18. “Each of us who pass by this memorial, whether we be student, instructor, seasoned law enforcement professional or ordinary citizen, look upon it, look at those names, remember the sacrifice and say a gentle prayer.”

The annual ceremony held at the Department of Criminal Justice Training honored four new names added to the Kentucky Law Enforcement Memorial, the state’s only monument to all of Kentucky’s fallen peace officers.

Three of the four names memorialized on the monument this year were killed in the line of duty during 2005. Those officers were Peter A. Grignon, Louisville Metro Police Department; Roger D. Lynch, Livingston County Sheriff’s Office; and Larry D. Cottingham, Henderson County Sheriff’s Office.

/Photo by Elizabeth Thomas



>> The fourth officer honored at the ceremony, Mack Summers, Perry County Sheriff's Office, was killed in the line of duty in 1928, but was only added to the national law enforcement memorial this year.

"I don't have to tell you that these men were brave," said Chief Robert C. White, who was the keynote speaker at the ceremony. "I don't have to tell you that they were selfless or committed to duty no matter what the odds. Their lives serve as a testimony to their commitment of making the world a better place to live."



Louisville Officer Peter A. Grignon was killed March 23, 2005 when he was called to the 2600 block of Accasia Drive where there was a report of vehicle in a front yard. By the time he arrived, the car was gone, but upon investigating, he found the car on fire in a field about two blocks away. Near the scene, Grignon found two men at about 6:35 a.m. One man shot Grignon in the neck and mouth. The shooter then shot himself to death.



Deputy Roger D. Lynch was killed June 2, 2005 during a shoot-out with a suspect at a residence in Ledbetter, about 10 miles southeast of Paducah. Lynch responded to a domestic violence complaint at the residence of Joseph Calender. Calender, armed with a semi-automatic assault rifle and a loaded handgun, was in the basement of the house. After meeting Lynch at the top of the basement stairway, Calender shot at the deputy, hitting him twice. Lynch then fired one fatal bullet before succumbing to his own injuries.



Sgt. Larry D. Cottingham suffered a fatal heart attack shortly after disarming a suicidal woman January 1, 2005. Cottingham had responded to the scene, calmed and disarmed

the woman and then escorted her to the local emergency room. Shortly after returning to the station, Cottingham began feeling ill and was immediately transported to the hospital. He remained in intensive care until he died two days later, on January 3, 2005.



Deputy Mack Summers was shot and killed December 23, 1928 while attempting to arrest an intoxicated person who was firing a gun.

The memorial ceremony served as a fitting tribute to the ultimate sacrifice made by these four individuals. From the respectful procession of police recruits from across the state to the three jarring fires of the 21-gun salute delivered by the Louisville Metro Police Department Honor Guard to the sound of "Taps" slicing through the silent, mournful air, the ceremony took on the attributes of a reverent funeral, as the hundreds of friends, family and citizens gathered to remember and pay their respects to these fallen officers. 🇺🇸



/Photo by Elizabeth Thomas

▲ A Louisville Metro Honor Guard officer traces the name of Peter Grignon.

▼ Virginia Campbell receives a flag in honor of her father, Mack Summers, who was killed in the line of duty in 1928.



/Photo by Elizabeth Thomas



# ‘Walking a Narrow Line Between Liberty and Security’

Louisville Metro Chief Robert White commemorates the sacrifice of Kentucky’s fallen heroes

/Abbie Darst, Public Information Officer



/Photo by Jamie Neal

“Somewhere in America today, a police officer will leave his or her home, leave his spouse, father, mother, child and other loved ones behind,” Louisville Metro Chief Robert C. White said at Kentucky Law Enforcement Memorial Ceremony May 18. “Somewhere today in America, a police officer will be involved in a confusing, frustrating, heart-wrenching and dangerously uncertain situation.”

As Chief White began his address to those gathered at the annual ceremony, he spoke of the stark reality that surrounds the every-day profession of law enforcement officers throughout the country.

“Somewhere in America today, more than likely, despite exceptional training, excellent equipment, incredible judgment, a police officer will be confronted with the mean and ugly side of human nature and will not return home to his loved ones because he or she will be killed in the line of duty.”

White and the entire Louisville Metro Police Department know first hand the great



/Photo by Elizabeth Thomas

▲ Robert Grignon seated on behalf of the Cottingham family, Rebecca Grignon and Debbie Lynch look on as Chief Robert White (above left) honors their loved ones in his speech.

risks that come with serving as officers in the Commonwealth and what it means to lose a fellow officer. On March 23, 2005, Officer Peter Grignon was shot and killed while questioning two men about a hit-and-run accident less than an hour before the end of his shift.

“As most of you know, our department lost Officer Peter Grignon during the line of duty this past year,” White said during the ceremony. “At that time I said, ‘Other than

the loss of my children, I can’t think of a more difficult time in my life.’ And I will tell you to this day, I still believe that.”

White highlighted how the officers honored during the ceremony exemplified the risks and responsibilities faced by each law enforcement officer every day.

“[Grignon’s family] shared Peter’s life with me, his dreams of becoming a police officer, his commitment to serving others and, most





>> of all, his deep and abiding faith in God. And I believe it was that faith that allowed Officer Peter Grignon, Deputy Roger Lynch, Sgt. Larry Cottingham and Deputy Mack Summers to answer the call for service that so many others seek to avoid. While others look to climb corporate ladders or seek safer professions, these four men chose to commit their lives to the betterment of our society by seeking out injustice and lawlessness,” White said.

In his address, White not only emphasized the dangerous reality of the law enforcement profession, but also the incredible heart and courage that resides within each officer.

“Sadly, in our country, an officer is killed approximately every 53 hours,” he said. “Yet, despite this, every day, all 365 days a year, officers come when they are needed. You call, we come. And come with the understanding that we might have to make incredible decisions or rise to the occasion to do courageous things, even if it involves making a supreme sacrifice.”

In light of remembering the four officers added to the memorial that day, White asked those gathered to also remember the benefits they receive from the dedication of law enforcement officers across the nation.

“Today, as you breathe the wonderful, clean, fresh and free air of this great democracy, think of those that have taken the law enforcement oath and have given their life to protect our freedom,” he said. “It has been said that no greater sacrifice can be made than to lay one’s life down for another. As we honor those that have made that sacrifice, I also ask that we honor those loved ones that were left behind, for their loss is far greater than ours.”

White ended his address with a charge to all the law enforcement officers present at the ceremony.

“I ask my fellow officers as we leave here today, let us be mindful of the tremendous responsibilities to protect and to serve with the passion, the commitment and the willingness exemplified by Peter Grignon, Roger Lynch, Larry Cottingham and Mack Summers. God bless you and keep you safe.” 🇺🇸



/Photo by Elizabeth Thomas

▲ A member of the Louisville Metro Police Department Honor Guard marches before the police recruits and others at the Kentucky Law Enforcement Memorial Ceremony May 18.

# KLEMF Educational Scholarship

**T**he deadline is approaching to apply for the Kentucky Law Enforcement Memorial Foundation educational scholarship. The scholarship was formed to provide financial education assistance to law enforcement officers and law enforcement telecommunication personnel (current, retired or disabled) and their survivors and dependents. The foundation will grant up to 25 scholarships for 2006. The award is \$1,000 per year unless the recipient is a family member of an officer who was killed in the line of duty. Then the award amount is \$2,000. The scholarships may be used at any accredited college or university including two-year and community colleges. It may also be used for a recognized or certified vocational or trade school.

## Eligibility and Priority for Scholarships

- Survivors (dependent family members of deceased officers or telecommunicators, including surviving spouses) will be given the highest priority for funding.
- Recipients must be a current, retired or disabled Kentucky sworn police officer, telecommunicator or a survivor or dependent of same.
- Recipients must be accepted into an accredited college or university or a recognized vocational or trade school before the scholarship funds are awarded.
- Grants awarded will be prioritized on financial need and may be used for tuition, books, fees, housing, meals or transportation to the school.
- Full-time law enforcement officers or law en-



forcement telecommunicators who attend school on a part-time basis (and whose department does not provide tuition assistance) shall be eligible for actual cost of tuition, fees and book reimbursement up to the maximum grant amount.

- Students are not required to major in law enforcement or criminal justice to be eligible for scholarships.

The application and criteria for the scholarship can be downloaded from the Web site, [www.klemf.org](http://www.klemf.org). All applications must be completed and returned by June 30, 2006, to: Kentucky Law Enforcement Memorial Foundation, Funderburk Building, 521 Lancaster Avenue Richmond, KY 40475-3102. For additional information call (859) 622-2221.

*Reminder: Applications for the educational scholarships are due by June 30, 2006.*

*The KLEMF will award 25 \$1,000 educational scholarships for fall 2006. If the selected recipient is a family survivor of a fallen officer the amount will be increased to \$2,000. For more information on the scholarships or how you can support KLEMF please access the Web site at [www.klemf.org](http://www.klemf.org) or contact the foundation at (859) 622-2221.*

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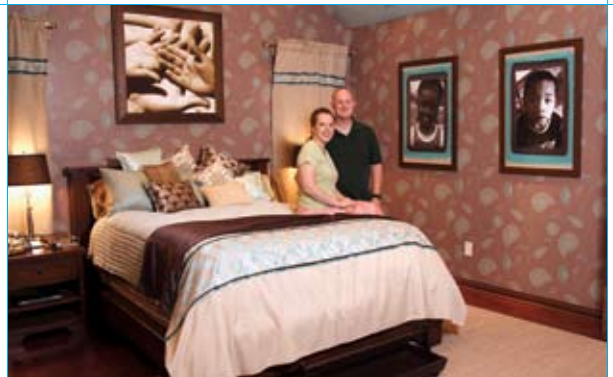
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# Extreme MAKEOVER HASSALL EDITION





/Story and Photos by Elizabeth Thomas, Public Information Officer

Two swallows recently returned to their home under a porch overhang near Sunrise, Kentucky. It's amazing they rediscovered their nesting site since the entire house had been demolished and rebuilt in one cold, rainy March week. The swallows' nest at the home of Brian and Michelle Hassall, the recent recipients of a new home from ABC's national television program *Extreme Makeover: Home Edition*

Brian, a police officer of nine years with Cynthiana Police Department, and Michelle, a chorus teacher at Harrison County High School, were awakened on March 9 by the TV show's host, Ty Pennington, shouting through his trademark bullhorn, "Good morning, Hassall family!"

Officer Brian Hassall was recently named Cynthiana's Police Officer of the Year. His wife, Michelle, was recently selected as Harrison County High School's Teacher of the Year. But despite their professional successes, the Hassall's have shouldered their share of adversity.

Ten years ago, Brian, then an officer with the Transylvania University Police Department in Lexington, was shot in the leg and injured several facial bones during the incident. Those injuries heightened already present migraine headaches triggered by exposure to direct sunlight. As a result, Brian works the night shift and had to spend his days away from the sun in the family's dark, dank basement.

Meanwhile, Michelle suffered from the recurrence of a rare blood disorder she has had since her teenage years. Recently, she was also diagnosed with lymphoma and has undergone chemotherapy. Her illnesses, which have degenerated her immune system, leave her susceptible to molds and other allergens. She could not visit Brian in the basement, and, in his avoidance of sunlight, he could not regularly come upstairs. Their time together was limited at best.

After the shooting, the Hassall's moved to Cynthiana where both could continue their careers and adopted two children: Alex, an African-American baby girl, was adopted in

1999. Five years later, the family traveled to China to adopt Sam, who was born with a cleft palate. Sam, who was almost two, completed the multi-cultural family.

But, with the cost of two adoptions and medical expenses, the family was forced to assume a second mortgage and soon maxed out their credit cards. It was an emotionally and financially strained situation.

## How it started

One Sunday night last fall, Michelle lay on the couch recovering from chemotherapy as the family watched an episode of *Extreme Makeover: Home Edition*. Sitting up, she glanced at Brian and said, "We should send our stuff in. We should just try."

"No way, there's no way we'll get it," Brian replied.

But they tackled the project just like they tackled the obstacles they faced daily, finishing the application video the night of her last round of chemo.

"I looked awful," Michelle said, but, "I told Brian, 'We're finishing the video tonight! I don't care what I look like.'"

Then it was a matter of waiting.

## From the ground up

"I love this family," commented designer, Paige Hemmis, as she and the Extreme Makeover team reviewed the family's video outside Sunrise. The Hassall's were in for a big surprise.

Standing on the doorstep of the Hassall family's three bedroom, one bath brick home, Pennington recognized immediately the cultural distinction of this family.

"You guys don't look like the typical American family," noted the show's host.

"No, but, we're the new American family," responded Michelle as she had the family to display the palms of their hands which, she said, all looked the same. Hands and what they symbolize immediately became the theme of the project.

Swept away to Disney World while the project continued in Sunrise, the family was kept up-to-date by computer. Shown a video of the house's demolition, Sam, generally a shy child, blurted, "Ty, you bad boy, you broke my house." Later that day, designer Daniel

“It's been amazing to see how willing people have been to give up their time.”

ABC soon asked for her students to send in a nomination video. Six girls in the chorus spent the night writing an original piece and the next morning practicing and performing their song. The Hassall's made the cut.

Once selected among the five finalists, the Hassall's went through a thorough background check, including 25 pages of detailed personal questions and medical records.

"I do background checks for law enforcement that are nothing compared to that," Brian noted.

Kucan arrived from Kentucky just to get the imprints of the family's hands in mortar.

Meanwhile, 1,000 volunteers and 1,000 contractors were dredging through mud and muck to make life a little easier on the Hassall family when they returned.

"It's not just raining cats and dogs out here," said British designer and carpenter, Ed Sanders, "it's raining zoos." Seven days, four inches of rain, a foot of mud, and millions of dollars worth of donations later, the family's dream home was waiting for their arrival. >>



## Interesting Build Facts

- 1,000 volunteers
- 1,000 contractors
- 400 friends and neighbors saw the reveal
- 4 inches of rain
- 106 hour project
- 3,500 sq ft. home
- \$450,000 cost of 30 seconds of advertising during the show
- 110 recessed lights throughout the house
- More than 200 hours of video footage
- 4.5 days build time of the home
- All materials and labor for home were donated ■



You might remember Officer Hassall as one of the officers shot in the line of duty in Lexington in the summer of 1996. Hassall, then an officer with Transylvania University Police, was shot in the leg after his assailant fled from another altercation with then Lexington police officer, Ed Lingenfelter. Officer Lingenfelter had made a routine traffic stop. From a bar nearby, another man burst on the scene, firing at Lingenfelter. The officer was shot and the assailant ran. Later that same evening, Hassall encountered the gun-toting assailant near Transylvania, where he shot the officer in the leg. Hassall fell, re-injuring facial bones he'd broken as a teenager. These head injuries caused migraines triggered by direct sunlight.

▲ In above photo, Deanna Boling, Sheriff Bruce Hampton and Kelly Adkins (not pictured) present a donation from Kentucky Law Enforcement Memorial Foundation. ■

"It's been amazing to see how willing people have been to give up their time," said Brian's mother, Pat Hassall, "It's very heart warming," added his father, Don.

What did this provide for the Hassalls besides a new roof over their heads?

"Less stress. Just to have some relief from all the bills from the recent adoptions and Michelle and Sam's medical expenses," responded Michelle's sister, Sarah Frost, a dispatcher with the Lawrenceburg Police Department and a part-time instructor at the Department of Criminal Justice Training.

Relief was in sight: Wells Fargo chipped in and paid off the family's second mortgage. Add to that, the Kentucky Law Enforcement Memorial Foundation, represented by Deanna Boling and Kelly Adkins, presented a donation. A local insurance agent has also set up a fund for donations to offset the rise of the home's property tax and maintenance.

## The payoff

By noon on the day of the "reveal," ABC producers were moving volunteers and spectators into place. Unknown to the crowds, the family sat in a limo at the bottom of the windy road. "We could hear the screams of the crowd from where we were," said Michelle. The wait seemed like an eternity.

Back at the top of the hill, spectators were commenting amongst themselves. "I can't believe we're actually here," and, "This is the only show on TV worth watching." Meanwhile, a huge bus had blocked the view of the home from the spectators, while volunteers and contractors flanked each side of the front yard. Everyone waited.

As the limo approached with the blindfolded family inside, the crowds went crazy and colorful signs started waving. Cameras flashed from the sea of blue-shirted tired volunteers.

One by one, Brian, Michelle, Sam and finally Alex, in her blue princess dress, stepped from the limo and stood behind the big bus, waiting for the film crew to get the footage needed for the show.

Finally, the signal was given and the time had come for the show's trademark phrase. "Move that bus!" yelled the family along with

the spectators, the volunteers and the contractors. But the bus didn't move.

A few workers were still scurrying around inside adding the finishing touches and hardware to the kitchen cabinetry. So the family was cued again to chant, "Move that bus!" And, then, once again. Finally, the bus pulled away to reveal a nearly 3,500 square foot home of blue siding and stacked stone.

## A bombardment of the senses

"Every one of your senses was bombarded," Michelle said as she explained her feelings on first seeing the home. From the sight of the house to the smell of the grass to the cheers of the crowd, the Hassall's were overwhelmed.

Michelle immediately noticed that her immaculately landscaped yard featured musical notes she later learned were carved by her students.

After the design team burst from the front door, the family seemingly mesmerized, began a slow approach toward their new home. Michelle, limping and using a cane due to a ankle sprain, held Sam's hand as he switched his gaze back and forth between the new house and the crowd, probably thinking, "Are you sure this is my house? And who are all these people?"

Although 7-year-old Alex was the first one in the house, it was Brian who recognized the slab with the family's handprints — the one cast in Florida — in the middle of the floor, "right there in the heart of the house."

The new Hassall home features an open floor plan downstairs, including an island which has remained a family favorite. "It makes it nice for the whole family to be together. We can cook our meals and Alex can sit here and do her homework.

Then Michelle spotted the baby grand Baldwin piano. "I never, never ever thought I'd have something like this," she marveled. She was so overwhelmed with emotion she couldn't even sit down to play. Tears flowed.

Other highlights of the home include bathrooms in each of the bedrooms, special room darkening blinds hung on the inside of the UV blocking windows, a playroom, a porch table made from a tree that stood in the backyard,





▲ Alex's room was outfitted in Libby Lu V.I.P. (Very Important Princess) furnishings, a dream come true for most girls her age. Sam's room, left, was designed to reflect his Chinese heritage.

and a whirlpool tub with lighting effects.

"It's all overwhelming," Brian reflected as he stood on his new back deck overlooking the trees and rolling hills of his five acres. "I love to watch the deer out here."

The family has only praise for their design team. "Paige was great to Alex. They speak the same language: pink. Preston was the most at home around here. The teenagers loved him." Designer Preston Sharp helped write a song Michelle's students performed on their lawn the evening of the reveal. "Ed and Sam bonded. Ed rolled around on the floor with him for hours before we left. Ty was great with Sam. He's taken with the Asian culture," Michelle added.

Now months after the family's television debut, you might wonder what life is like for the Hassalls. Brian said of one challenge, "We had a hard time getting our kids back into the real world."

As daily activities go on throughout the household, sounds of Michelle playing her piano echo throughout the home. The kids can be found singing along to their karaoke machine in their playroom. Brian may be working on dinner.

"It's only by the grace of God that any of this happened," Michelle concluded. 🍌

## With a little help from our friends

The communities around Cynthiana, particularly Berry and Sunrise, made sacrifices that you don't see on television. For instance, local traffic had to be dealt with long before the design team arrived.

In January, city and county officials first learned the Hassall family was a finalist for an Extreme Makeover. Soon afterwards they learned, though they maintained secrecy, that of the 5,000 applications ABC receives weekly, the Hassall's had been chosen for the home makeover. Among those working without the Hassall's knowledge throughout February were the police chief, the county judge executive, representatives from the local utilities departments, the state highway department and Harrison County Sheriff Bruce Hampton.

"We had to make sure traffic continued to flow and people could get to and from work," Hampton said. "We kept somebody out there 24-7."

Hampton was responsible for getting the design team from Georgetown to the Hassall home the morning of March 9. "[The producer] called me that morning and said, 'You need to be with us at a meeting in Georgetown.' And before I knew it I was having breakfast with Paige and Ty and the whole cast, though I didn't know who they were at the time."

*This Extreme Makeover: Home Edition* build was not only a community effort, but a fan effort. "They came from everywhere," Hampton said. "How people found out about it, I still don't know." Some came from Cincinnati just to drive nails and one fan drove from Alaska to volunteer.

"They're just nice people," Hampton said of the family. ■





# OFF TO A FL

Until recently, only large cities and state-wide law enforcement agencies have had the luxury of reliable air support for specialized tasks, such as medical evacuation, hot pursuit or search-and-rescue. But that limitation on air power has been irrevocably altered as more sworn officers take to the skies in support of their law enforcement duties. Although Kentucky may not often deal with those recurring television images of chase scenes from California freeways, the use of helicopters and airplanes is now off to a flying start in the Commonwealth.

Patrolling from the Friendly Skies .....32

It's a Bird!

It's a Plane!

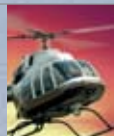
It's a Flying Traffic Officer! .....38



# YING START



/Photo by Jamie Neal



# PATROLLING FROM THE FRIENDLY SKIES



## Kentucky Law Enforcement Use Aircraft to Increase Its Reach

/Jamie Neal, Public Information Officer

**T**he blades begin turning slowly but as the engine gains momentum, they soon blur into a thunderous circle overhead, the downdraft flattening blades of grass near the tarmac. Cautiously, Deputy Dave Willis maneuvers the helicopter slightly off the ground, allowing it to hover momentarily. On this sunny, warm September day, the shadows of the propellers are visible on the asphalt below.

Willis eases the Scott County Sheriff's Office aircraft higher into the air, tilts the stick for-

ward, and soon he and observer Detective Jack Patrick, who also pilots the chopper, are soaring over a patchwork of neighborhoods, industries, farms and open fields.

"You can see the advantages to law enforcement (of having an aircraft)," Willis said. "You can be anywhere in our county in seven minutes."

The officers are on a mission. They have received a tip about a marijuana patch growing in the northern part of the county and are using the agency's helicopter – Air One – to pinpoint its location.

As they make their way to their destination, some people wave when they spot the helicopter. A citizen once mooned Willis while he was flying.

Sweeping the general area of the marijuana report, the officers search for the telltale sign of bright green plants peeking through breaks in the foliage. Marijuana needs sun and water to flourish, the pilots explained.

Near 2 p.m., Patrick's voice comes through the headset: "We've got a bingo."

He has spotted eight marijuana plants. He and Willis direct a ground-based crew to cut







/Photo by Jamie Neal

down the plants for evidence.

Marijuana eradication is one of the many tasks for which the Scott County department and handful of other Kentucky law enforcement agencies are using aircraft, including small planes and helicopters.

Helicopters can reach scenes more quickly than law enforcement cruisers and can go places that the vehicles can't. Among other uses, officers rely on choppers

- for search-and-rescue missions
- to report traffic and weather situations such as flooding
- to take aerial photos of vehicle accident scenes

- to serve as a public relations tool
- and now, with the emphasis on homeland security everywhere, for surveillance of potential targets like water-treatment plants.

Aside from Scott County, only one other small department in the Commonwealth flies a helicopter – the Pulaski County Sheriff's Office. Other agencies with aircrafts are Lexington, which recently flew its helicopter on an inaugural mission, and Louisville and the Kentucky State Police. Kentucky Vehicle Enforcement also recently acquired an airplane that it is employing for unique uses.

▲ Scott County Detective Jack Patrick takes in the view of the county from the agency's Bell OH-58 Kiowa Warrior helicopter. Dave Willis and Patrick, who were both pilots before the agency got the aircraft, fly it to search for marijuana, search and rescue and other missions.





/Photo by Jamie Neal

▲ Deputy Dave Willis (left) and Detective Jack Patrick of the Scott County Sheriff's Office pilot the agency's helicopter. The department received the aircraft in 1998 through the military surplus program.

>>

## Free But Expensive

A military surplus program known as the 1033 Program makes helicopters available to law enforcement agencies for free, but the costs associated with keeping an aircraft prevent most from getting one. (See sidebar)

Some agencies have received copters through the program and then had to release them due to lack of funds to pay for maintenance, fuel, insurance and hangar space.

In Hopkinsville, the police department had a military surplus helicopter for nearly 10 years, but had to sell it about a year ago because of the cost, Chief Kermit Yeager said.

"We had it for a long time and never used

it to its full potential," he said. "Funding is the main sticking point for medium-size agencies I would say."

Some agencies unable to afford their own helicopters can count on neighboring departments to help them out. Others turn to the Kentucky State Police, which has several aircraft, or the volunteers of the Civil Air Patrol, the civilian auxiliary of the U.S. Air Force.

Media outlets, which often have aircraft for traffic reporting, have been known to lend a hand to officers in need of a ride as well, such as when an Evansville, Indiana television station flew Daviess County Sheriff Keith Cain over some shallow graves for an investigation.

To obtain a helicopter, a law enforcement

agency must prove it is capable of maintaining and operating the aircraft, according to the U.S. Department of Defense's Law Enforcement Support Office, which administers the aircraft surplus program.

The program is based on Section 1033 of the National Defense Authorization Act for fiscal year 1997, which authorizes the secretary of defense, in consultation with the attorney general and the National Office of Drug Control Policy director, to transfer personal property excess to the Department of Defense, other federal agencies and state agencies for use in law enforcement activities, including counter-drug and counter-terrorism work.

When the Army declares the helicopters





excess for its needs, they become available to the Law Enforcement Support Office, which then issues the aircrafts to the next agencies that have applied and are on the national priority list, according to LESO.

Most of the aircrafts at Kentucky law enforcement agencies are Bell OH-58 Kiowa Warriors, which the Army is retiring along with the UH-1 Huey. As they are phased out of military service, they are offered to LESO for distribution.

In the military, the Kiowa – a four-seat, single-engine, two-bladed helicopter – is used for reconnaissance, security, command and control of an operation, target acquisition/designation and defensive air-combat missions.

“They’re a good all-around helicopter for fuel economy and missions,” Pulaski County deputy and pilot David Wesley said.

Now law enforcement agencies like the Pulaski and Scott county sheriff’s offices are flying the choppers after refurbishing and personalizing them with paint jobs and their department seals.

Scott County applied for a helicopter through the surplus program in 1995 and received its 1972 Bell OH-58 in 1998 after it was released from the Wisconsin National Guard with 3,000 hours of flight time on it.

## A Crime Deterrent

“I have been a big fan of airborne law enforcement for years,” said Willis, who once built his own personal helicopter. “I just think it’s the wave of the future, and the future is now.”

For the most part, the agency uses the chopper for callouts in its county and other counties for search and rescue and other activities, for marijuana spotting and public relations at schools, said Willis and Patrick, who were both aviators before they became pilots for the sheriff’s department.

The pilots said they think the helicopter is a crime deterrent, especially for would-be marijuana cultivators.

“The growers know we have it,” Willis said.

“They just don’t know what day we’re going to pop up out of a valley,” Patrick added.

In 2005, the pilots estimate that the helicopter helped them locate about 6,000 marijuana plants.

They said that it costs \$15,000 to \$17,000 per year to fly and maintain the aircraft.

## Lexington’s New Experience

One of Scott County’s neighbors – Lexington – has called upon the department and KSP for airborne assistance in the past, but now the agency has its own helicopter and air support unit headed by Officer Don Evans.

After years of researching the benefits of having a helicopter and waiting to hear from the military on their 2002 request for an aircraft, the Lexington Police Department got word from the U.S. Department of Defense in June that it was getting a Bell.

“We were excited,” Evans said. “These days it’s really hard to justify being an agency our size and not having one. I think people expect it.”

“We’ve always felt that there was a need for it on many fronts,” he said.

The air support unit, which consists of Evans, one other pilot and two tactical flight officers who are charged with observing, is assigned missions on a request-basis right now, but plans to use the helicopter for a variety of work for Lexington agencies and those in surrounding communities, Evans said.

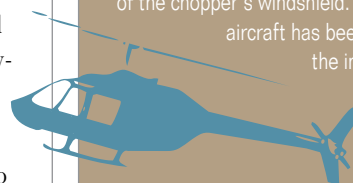
Plans for the helicopter include air support for officers on the ground, search and rescue, surveillance for investigators in instances like high-risk narcotics raids, and aerial photos for some vehicle accident and crime scenes. The agency also will use the aircraft as a moveable observation point for checking and having officers re-route traffic quickly during major events in the city, Evans said.

The Lexington Police Department is also involved with Project Lifesaver, which uses electronic-tracking devices to locate people

## Power Lines Can Pose A DANGER For Helicopter Pilots

“AVIATION IS NOT DANGEROUS,” according to Lexington chief pilot Don Evans, “IT’S JUST UNFORGIVING.”

In 2005, a Laurel County sheriff’s deputy who was flying aerial surveillance for marijuana eradication sustained minor facial injuries after the helicopter clipped the static line of a main Kentucky Utility electrical circuit and broke part of the chopper’s windshield. The Laurel County aircraft has been grounded since the incident due to the cost of repairs and age of the helicopter. ■



## The Price of Flight

The cost of operating and maintaining a law enforcement helicopter is based on a variety of factors. Below is the average cost for the Pulaski County Sheriff's Office for flying its 1970 Bell OH-58. The pilots are road deputies when they aren't flying, so their salaries are not included.

\$6,000 – Insurance

\$2,000 – Oil, other

\$3,000 to \$5,000 – Fuel ■

## I Believe I Can Fly

If your law enforcement agency is interested in applying for a military surplus helicopter through the U.S. Department of Defense's Law Enforcement Support Office, contact state coordinator Kentucky State Police Capt. Brad Pratt or Program Manager Jeff Perkins at (502) 227-8744.

However, Perkins said that the military has only released one surplus helicopter to a Kentucky agency (Lexington) in the past six years. It isn't issuing as many aircrafts since the U.S. began military action after the September 11 terrorist attacks, he said. ■

with Alzheimer's disease who have wandered away and are wearing a traceable bracelet. In a test performed with the helicopter, police were able to find a person wearing a bracelet in nine minutes, Evans said.

The aircraft is a force multiplier, allowing police to do in minutes what would take hours and many officers on the ground, he said.

"If you look at search-and-rescue missions alone, the thing pays for itself," Evans said.

Also, every law enforcement agency faces questions about what to do when someone won't stop for a patrol car, and the helicopter could be the answer in pursuits, he said.

"The bad guy's not going to get away," he said.

Evans said he expects the aircraft to become invaluable to the agency.

"It's sort of like SWAT," he said. "There was a day when we didn't have it, and now we couldn't imagine being without it. I think the helicopter is going to be the same way. It's going to become a tool we can't imagine being without."

But as the unit is just beginning, its members are going to use the aircraft wisely and expand their capabilities as they train more, Evans said.

## Pulaski County Tribute

On the windows of the brown Pulaski County Sheriff's Office helicopter is a memorial to the man who trained as a pilot so he could fly the aircraft to stop crime in his county – Sheriff Sam Catron.

Catron, 48, was shot to death in 2002 while attending a political rally and fish fry near the Shopville Fire Department.

That same year, Pulaski County Deputy David Wesley earned his commercial pilot's license so that he could fly the helicopter for the department, which he did for free until recently.

"That's my little contribution to keep Sam's memory alive," Wesley said. "That's what Sam loved – and to keep it around for the people of Pulaski County because that's what Sam always wanted."

Catron had flown a fixed-wing airplane until Deputy Delynn Gibson, who is the agency's chief pilot, told the sheriff about the military helicopter surplus program.

Catron was immediately taken with the aircraft, Wesley said.

"He got in there and loved it," he added.

Pulaski County received the 1970-model helicopter that it usually flies around 1996 and a few months later got another, a 1972 model that it can fly or use for spare parts.

Since then, the agency has used the 1970 helicopter to locate marijuana patches being grown in the county. Although the pilots don't find a lot of it anymore, "it's that much less" being sold, Wesley said.

Searching for the plants makes for a better pilot though, since you are required to fly low, he said.

"It's the most fun when you find a bunch, but the worst when you come back empty-handed," he said. "You've burned fuel, you come back wringing wet (with sweat), and you've been up all day."

The department often uses the aircraft for search-and-rescue, especially in the summer when people get lost while doing warm-weather activities like hiking and rafting.

"If you fly it like we fly it – as needed – it doesn't take a big budget," Wesley said.

"Ask the parents of a lost child who was found if they thought it was worth it," he said. "The way I look at it is if it saves one life during its entire flying career, it's made a difference in a lot of people's lives."

## Versatility

The draw of the helicopter is its versatility, according to Wesley.

On a Saturday in April, Wesley was watching a soccer match when he got word that the sheriff's department was searching for a murder suspect. He needed to pick up a sergeant to act as a spotter, so he landed the aircraft in the parking lot of Somerset Mall, where the sergeant was shopping.

"You can sit it down on a 9-by-12-foot area





anywhere,” he said.

But the agency’s helicopter could use some modern equipment for communications, mapping its location and finding people at night through thermal imaging, so it has applied for homeland security grants, Wesley said.

“Looking for someone lost at night is probably one of our most stressful duties,” he said. “It’s like being in a locked closet with the lights out.”

“When you fly at night it’s a job,” he said. “When you fly in the day it’s fun.”

## KVE in the Air

Kentucky Vehicle Enforcement has a plan for its recently acquired Cessna 172 airplane that

some motorists won’t find fun.

Some KVE officers are training to pilot the aircraft that will be used to clock speeders and target aggressive driving from the air, said KVE’s David Leddy, who is the chief pilot and flight instructor for the program.

“Those are the kind of driving behaviors that result in collisions, especially with commercial vehicles,” Leddy said. Officers will be looking for motorists driving dangerously near commercial vehicles, since KVE’s focus as an agency is on tractor-trailers and other commercial vehicles.

The aircraft will also be used in surveillance missions when officers want to track a vehicle known to be carrying drugs to its destination. 🇺🇸

▼ Pulaski County Deputy David Wesley poses inside the 1970-model military helicopter that he pilots for the sheriff’s office. Sheriff Sam Catron, who was shot to death in 2002, requested the helicopter through the military surplus program so that he could search for marijuana patches from the air.



/Photo by Elizabeth Thomas

# It's a BIRD! It's a PLANE! It's a FLYING TRAFFIC OFFICER!

## The Sky is the Limit for Lexington Officer

/Jamie Neal, Public Information Officer

“That is a live look at Nicholasville Road and Man-O-War. Wanted to let you know the two crashes we had earlier have been cleared up. Versailles Road is wide open in front of the airport. Now back to you in the studio.”

Flying in his helicopter about 500 feet above Lexington, Officer Don's friendly voice alerts motorists to traffic jams, wrecks, construction and clear roads and interstates throughout the city and sometimes imparts advice like, “be careful on the way in” to work.

It's a voice that has become familiar to the viewers of WLEX 18 news and listeners of six Lexington-based Clear Channel radio stations.

A 16-year veteran of the Lexington Police Department and until recently a homicide detective, Officer Don Evans – known simply as “Officer Don” to those who tune into his reports – has been broadcasting live traffic updates from his own Robinson-22 helicopter during the early-morning and late-afternoon rush hours for years.

He isn't the first police officer to also report traffic from the air for local media, but as of now, Evans is the only one in Kentucky with the dual role. He has been scanning the roads from the air for radio for seven years and for television for about three.

“He's just a great guy, a wonderful person, and we're proud to have him as part of

our team,” WLEX news director Bruce Carter said.

Evans has been a tremendous asset to the TV station because he is approachable and recognizable in the community through his police and public relations work, he said.

It has been with the cooperation of the police and media in Lexington that Evans has had the opportunity to combine his passions – aviation, law enforcement and broadcasting – to create his dream career.

“In a career sense, I think that I really couldn't ask for anymore than what I've got,” Evans said. “I've been so fortunate to be able to take all the little dreams I had as a kid and put them into a package. It's an adventure. I can't believe I get paid to do these things.”

His day begins early. Evans arrives at the television studio at about 5:45 a.m. each weekday, dabs some makeup under his eyes and is live on air in the station for “Traffic Tracker with Officer Don” off and on during the 6 to 7 a.m. local news.

“I don't really know what I'm going to be doing until I get here,” he said.

When he's not sitting on his stool in front of the camera in an office area of the TV station, Evans grabs some coffee and calls each of the six radio stations to record his reports. He continuously checks the traffic and collision situation with the police station and the city's Traffic Information Network. He also gets up-

dates from Lexington drivers.

As soon as he issues his last update at the station, and if the weather is amiable, Evans heads to his helicopter for a live look at the roads for the local news break-ins during the national Today Show. He calls the radio stations with his reports.

He isn't seen on air in the aircraft. The TV station shows a live video feed from one of its stationary traffic cameras in the city, and with a hand-held TV, Evans can see which area of the city is on air and give an audio report of the latest from his bird's eye view.

He'll hit the sky again for the afternoon traffic report, but in the meantime he lands, and like Mr. Rogers doffing his sweater and shoes and donning another set, Evans trades in one flight suit for another.

With the Lexington Police Department's addition of a helicopter unit, Evans is now the coordinator of the Air Support Unit, which seems a perfect fit.

“I already had my pilot's license, knew the geography of city and had already been doing traffic reports, and if there was criminal activity while I was up there, I would always get involved with that,” he said.

The department has netted suspects that way. Evans said he once followed an alleged carjacker from Lexington into Clark County for officers on the ground.

His media employers have always known





that law enforcement comes first, Evans said. If he calls to say that he won't be able to broadcast a certain day, there are no questions asked regarding whether he has police business to attend to that could be newsworthy, he said.

"They've been great to work with in this town," he said.

Evans' media and public relations work also is beneficial to the Lexington Police Department, Chief Anthony Beatty said.

"It heightens our visibility in the community, and we work hard to build relationships with the community," he said. "It gives that name recognition, and that's an asset to the department."

Evans agreed.

"I think that's the whole thing this Officer Don character does – it shows we've got a sense of humor," Evans said of law enforcement officers. "We're people just like you."

As a homicide detective during most of his 10 years in the department's detective bureau, Evans was involved with some high-profile cases, such as the investigation into the shooting death of UK football player Trent DiGiuro, but enjoyed other aspects of the job more – like being a motorcycle cop.

"I don't like paperwork and I don't like dead bodies," he said.

Evans said he is not a daredevil but that he likes a challenge, which a helicopter presents.

"It's not something that everybody gets to do," he said.

The loves that Evans has parlayed into his career started when he was a child in his hometown of Breckinridge County. He partially credits a state trooper, an aviating farmer neighbor and a plan to avoid stripping tobacco for the path he has taken.

"I always knew since I was 11 years old that I wanted to be a police officer," Evans said.

At that age, Evans and his mother encountered a state trooper after their car ended up in a snowdrift on the way home from a bread and milk run to the grocery, he said. The trooper helped them out of the drift.

"I remember he still had his hat on. He smelled like Old Spice, and he was digging in the snow," Evans said. "I just knew I was going to be a cop."

"The guy was just a hero," he said. "He was

helping us out. I, like every other kid, wants to be the one to make people feel that way. I wanted to be that person one day."

A couple of years later, Evans was considered old enough to strip tobacco on his family farm, but in an effort to avoid doing so, he took a gig doing odd jobs at a radio station in nearby Hardinsburg. Eventually, he became a disc jockey for the station in the afternoons after school and added an Owensboro radio station on the weekends.

"I didn't want to strip tobacco," he said, smiling. "I got a job with air conditioning."

At 16, Evans met aviation when a farmer neighbor who was a former airline pilot taught him how to fly an airplane.

It was while working at WHAS radio in Louisville that a 19-year-old Evans was exposed to air traffic reporting. The usual traffic reporter was sick, and Evans was asked the night before to fill in on the day of the Kentucky Derby.

He didn't have to pilot the helicopter, but he did need to know the streets of Louisville. This presented a problem.

"I barely knew Louisville," he said. "I'm from Breckinridge County. They have a stoplight. I knew how to get from my house to the radio station."

With one night to prepare, Evans hired a pilot to take him up so that he could study the

streets, and although he said he was sure that he did a terrible job, the station decided he could be the full-time fill-in guy.

In 1988, Evans came to Lexington for a job as a radio station programmer and then fulfilled his plan of becoming a police officer by joining the Lexington force at the age of 22.

Evans, who became a commercially licensed pilot in 1999, continued his work in radio, and after several years of doing airborne traffic reports on radio, he joined the TV station WLEX.

In 2003, he switched from doing his reports in a fixed-wing plane to his Robinson-22, a change that made the Lexington newspaper because traffic hadn't been patrolled by helicopter in the city for 15 years.

It was the Lexington Herald-Leader that first called Evans "Officer Don," he said. Before that, he had simply been going by "Don Evans" on air and not identifying himself as a police officer. He has gone by the name ever since and had it legally trademarked.

"I saw the advantage of sort of mingling the two from the PR standpoint," he said.

The helicopter is also better for PR since it can be landed virtually anywhere, Evans said.


Officer Don does promotions for his sponsors at their locations, including car-seat safety checks. 



Photo by Jamie Neal

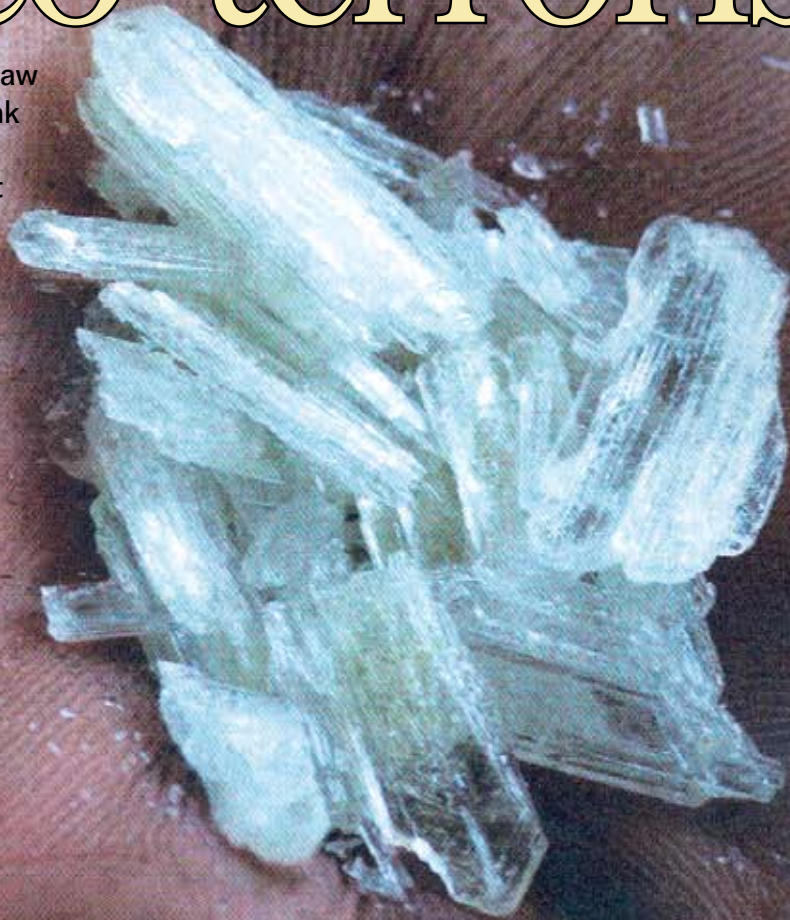
▲ Lexington Police Officer Don Evans is a familiar personality in the city, where he does double duty as an air-traffic reporter for television and radio and as the coordinator of the police department's new air support unit.





# Kentucky Digs Into Narco-terrorism

Conference allows Kentucky law enforcement to explore the link between drug trafficking and terrorist activity /Abbie Darst





In today's world, no one knows better than law enforcement officials the threats and dangers that lie around every corner, lurk in every neighborhood and in some way affect the lives of each citizen. These threats have never been more prominent in the minds of the American public than in recent years. For law enforcement here in Kentucky, learning how to deal with the threats of international or domestic terrorism, crime, hostile acts or even natural or man-made disasters has become a staple in both their training and in the way they police their local communities.

However, long before America waged war on terrorism, the country was fighting a war on drugs that still pervades the culture from our largest metropolises to our smallest towns. Now recent research, intelligence and evidence have found a link between these two enormous threats and have coined the term narco-terrorism. Narco-terrorism is the use of money from drug trafficking as a ready source of funding for terrorist activities.

The Kentucky Office of Homeland Security incorporated narco-terrorism training into its 2006 Homeland Security and Local Government Conference, held in Lexington April 4 to 6. The narco-terrorism training session was conducted by Dennis R. Lindsey, supervisory special agent and senior instructor for the Drug Enforcement Agency Academy in Quantico, Virginia.

Lindsey, who spent more than 30 years in local law enforcement and currently manages international training in 10 countries for the DEA, has been exploring the reality behind narco-terrorism for several years. In his presentation, Lindsey cited as far back as the June 25, 1993 World Conference on Human Rights. This conference marked the first time that the idea of linking drugs to terrorism was brought up for discussion. Just six months later, at the 2nd Pan-European Ministerial Conference, the topic was brought up again.

"Considering the continuous increase in and the spread of drug trafficking incidents, the involvement of violent organizations in such activities constitutes a serious threat to the contemporary society and thus, it is vital for the security forces to combat terrorism effectively," Lindsey quoted from the Final Communique of the Council of Europe Pom-

pidou Group, which resulted from the 2nd Pan-European Ministerial Conference.

Though the relationship between drug trafficking and terrorism has been acknowledged for more than a decade, more recent evidence shows the top terrorist organizations around the world are increasingly turning to drug trafficking as a source of revenue, placing the relationship between these two criminal activities in the forefront of the minds of law enforcement today.

According to Lindsey, 12 of 21 terrorist groups have ties to drug trafficking. That statistic, combined with the more than \$65 billion spent on illicit drugs in the United States each year, makes it easy to see why drug trafficking has become a lucrative activity in which terrorists would want to be involved.

"The American drug consumer is the largest supporter of terror," said Lindsey, quoting John Walters, director of the Office of National Drug Control Policy.

Here in Kentucky, law enforcement officers are no strangers to dealing with and combating drug use and consumption. Kentucky ranks third in terms of total marijuana production in the nation, according to the DEA Web site. The Daniel Boone National Forest, which covers more than 690,000 acres of eastern Kentucky, is a favored site for cultivators because it is sparsely populated, very accessible and contains ideal soil and climate conditions for marijuana cultivation.

In addition, the DEA cites that several counties in eastern Kentucky lead the nation in terms of grams of narcotic pain medications distributed on a per-capita basis. Aside from marijuana cultivation and trafficking, the trafficking and illicit use of prescription drugs in the area may be the most significant current drug threat facing the residents of eastern Kentucky.

Though Kentucky is the site of large-scale marijuana cultivation, most of the marijuana produced in the state is exported to mar-

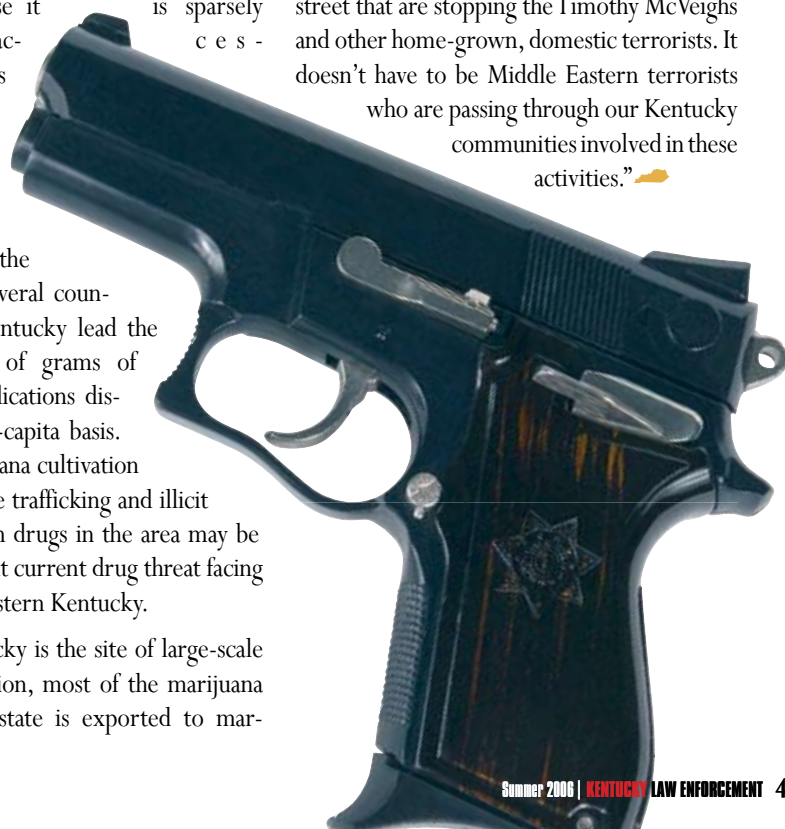
kets in other states, including Illinois, Ohio, New York, California, Texas, Pennsylvania and Washington D.C., according to DEA research. These same states, with the exception of Pennsylvania, are also among the 16 states known to contain Islamic terrorist networks in America. With the combination of these two factors, it is time that Kentucky's law enforcement officers begin paying attention to the real, local threat of narco-terrorism.

Mari Harris, deputy director for the Kentucky Office of Homeland Security, viewed the information made available through the narco-terrorism section of the conference as a tool that law enforcement can use to dig deeper into the drug-related issues they deal with on a daily basis.

"Hopefully if they are armed with knowledge, they'll take it a step further," she said. "They can begin to realize that things aren't always what they seem and that they should be aware that trafficking can have deeper connections."

Because of Kentucky's prime location along the Interstate-64 and Interstate-75 corridors, these connections are even more easily and readily accessible.

"It doesn't have to be in some big city far away like New York City or Los Angeles," Harris said. "Kentucky is a big hub, it is strategically located, and it's those officers on the street that are stopping the Timothy McVeighs and other home-grown, domestic terrorists. It doesn't have to be Middle Eastern terrorists who are passing through our Kentucky communities involved in these activities."





# KENTUCKY'S INTELLIGENCE AND INFORMATION FUSION CENTER

/Jamie Neal, Public Information Officer

Beyond the maze of cubicles that comprise the Kentucky Office of Homeland Security, David Bragg swipes his electronic security pass, punches a numeric code into a keypad and awaits the loud click as lock tumblers disengage. He tugs on the handle of a heavy wooden door that swings open, granting access to a world many Kentuckians don't know exists.

Inside the darkened, cavernous room, a dozen or so specialists monitor computers, whisper in hushed conversations at workstations, briskly stride across the floor with apparently important papers to deliver.

Dominating the room on a 20-foot high wall are 12 oversized screens, specially configured to monitor any of 300 remote locations throughout the state which might be of particular interest to team members at any time: bridges, tunnels, roadways. To one side of those are two huge monitors which are often used to cover breaking news and weather.

Entering a realm where few are allowed to venture, you have walked through the doors of Kentucky's Information and Intelligence Fusion Center.

Although representatives with the Kentucky Office of Homeland Security cite that the center is only in the beginning stages and that far more functions remain to

be implemented, the fusion center provides the visitor with a feel that the room is "control central" providing a watchful eye on critical infrastructure throughout Kentucky.

Inside this hub, specialists with the Kentucky Transportation Cabinet and dispatchers for Kentucky Vehicle Enforcement and Kentucky State Police monitor traffic, national news and the weather from their workstations facing what they call the video wall.

This is where law enforcement officers from across the state file their reports electronically and in real time using wireless mobile data terminals (MDTs) mounted in their cruisers. And it is here that intelligence specialists sift through the data, using sophisticated computer programs to pinpoint potential threats or difficulties.

## Putting Together a Puzzle

"It's a lot like having jigsaw pieces spread out across a table," explained Alecia Webb-Edgington, executive director of the Kentucky Office of Homeland Security. "It's the job of these folks to put all the pieces together into a single, discernible picture."

Kentucky's Information and Intelligence Fusion Center is only in the initial phases of operation, but the vision for the center is to become the Commonwealth's hub for criminal information and intelligence sharing between local, state >>





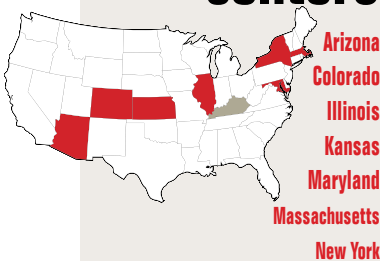
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/Photos by Elizabeth Thomas

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## Other states with fusion centers



Washington Technology source ■

## JusticeXchange

Law enforcement officers and other criminal justice officials in Kentucky now have instant access to information about jail inmates in the state and across the country through a database program.

Based on data collected automatically from local jail management systems, JusticeXchange provides near real-time and historical information about incarcerated offenders. The information collected includes biographical information, charges, photos and behavioral reports – all accessible through a secure Web site.

Previously, law enforcement and other justice agencies had no way of tracking incarcerated offenders other than to physically call each jail and prison across the state, or, if available, check each facility's Web site.

Since the system went online, the Louisville Metro Police Department used it to determine that an individual it had four felony warrants on for gun and drug charges was already in jail in Oldham County on lesser charges. Officers were able to serve felony warrants on the individual before release.

JusticeXchange tracks all state and local jail beds in Kentucky and 43 percent of county jail beds throughout the country. It includes data from 27 states. Kentucky is one of seven states that have launched a statewide JusticeXchange system. ■

and federal government agencies, said Bragg, who was named director of the center in February.

"Right now, we're trying to put all the pieces together in regards to the various agencies that will be participating and the procedural aspects that are so important in a facility of this type. But, when that is done, we will be able to look for patterns and trends and get that out to the field for prevention of crime or terrorist-related activities," Bragg said.

"It gives us an atmosphere and a location where we can share information and resources," added Capt. Bill Sullivan, commander of the KSP Intelligence Branch. "The key is just getting other departments, other agencies, to give us information – and even better – to have them on site so we can work together."

Webb-Edgington further explained that while the project is still in its formative stages, the crime-prevention opportunities the fusion center will create could be substantial.

"Consider the possibilities," said Webb-Edgington. "An officer observes an individual taking photographs of a dam in eastern Kentucky. The subject is merely taking pictures so there is no cause to talk with him. The officer, however, files an intelligence report via his MDT. Within minutes, intelligence officers at the fusion center note that a person of the same description was seen walking along the top of a dam nearby just last week and casing another just the month before.

"A pattern is evolving. It may be innocent or the individual may plan some unlawful activity. He may like being around dams or he may be planning to blow a hole in it. The point is that the resources of the fusion center provide that information to the officer in the field and help him make valid deci-

sions on the spot."

More likely, however, is a less sinister scenario, Webb-Edgington noted.

"Say officers in Paducah arrest a man for public intoxication. Officers in Paducah may not know that the same man is wanted for attempted murder across the state in Pikeville," she said. Utilizing a product that was recently rolled out by the fusion center, JusticeXchange, authorities will now be notified.

The JusticeXchange information data have system alerts the Paducah police to the situation before the suspect walks."

## Kentucky's Central Hub

With the fusion center as the central hub, the information sharing should be "up and down, lateral, every way" between agencies in an effort to prevent crimes – including domestic and international terrorism – and solve more cases, added Bragg.

The concept of fusion as well as intelligence-led policing is new to everyone, so the center is in its beginnings, Bragg said.

"We're learning and growing along with everybody else," he said.

Kentucky's fusion center is located in the Transportation Cabinet building in Frankfort in what was formerly known as the Transportation Operations Center. The functions of the TOC remain, and the KSP Intelligence Branch and dispatchers from KSP's headquarters have been added. An FBI agent and other fusion center partners make stops at the center but are not yet there full time.

The center currently fields a staff of about 20 with plans to hire three additional intelligence analysts in the near future to allow for

more proactive work.

Also, just recently, the center hired a multi-lingual cyber-crime analyst dedicated to investigating subversive organization Websites and other research.

Bragg said he would soon like to develop a 24-7 watch center. Presently, only the dispatchers and transportation-specialists slots are staffed around the clock.

"Ninety percent of the center's job is increasing the probability of preventing and solving crime by coordinating information sharing between the center, local and state law enforcement, government at all levels," Webb-Edgington said. The rest is about "getting the technology in place to promote sharing the information," she noted.

"But," Webb-Edgington added, "We must not forget that all the technology in the world can never take the place of a savvy investigator, which is the key for us in building a successful operation here in the fusion center."

The cornerstone of the fusion center is the state's Unified Criminal Justice Information System, a continually evolving program to share criminal justice information among law enforcement and justice systems – such as the courts. UCJIS will unify the various computer programs previously adopted independently by each organization and allow a criminal's status to be tracked from the time he enters the justice arena until he finishes serving his sentence or reach another conclusion, Webb-Edgington said.

The importance of data interoperability and communications also ensures the fusion center remains focused on equipping law enforcement vehicles with mobile data and terminals computer that can be accessed through the wireless network that criss crosses the Commonwealth, she said.



The foundation of this wireless network is the Kentucky Open Portal Solution. KyOPS includes programs for reporting crime, traffic citations and warnings, and other information; all of which is information critical to the operations of the fusion center. In addition to these function, KyOPS recently rolled out an e-Intelligence reporting function which provides law enforcement with the ability to electronically report potential terrorist or other criminal activity in real-time to the fusion center.

"The e-Intelligence reporting function allows us the opportunity to quickly receive information directly from the field that we can then pass on to our federal and state partners for investigation," said Webb-Edgington.

"This application has already proven successful on a number of occasions in helping us track down criminals. For this reason, I want to encourage every law enforce-

ment agency across Kentucky to hook on to the KyOPS program and the e-Intelligence reporting function to help our law enforcement partners throughout the state solve more crimes."

## A Presidential Directive

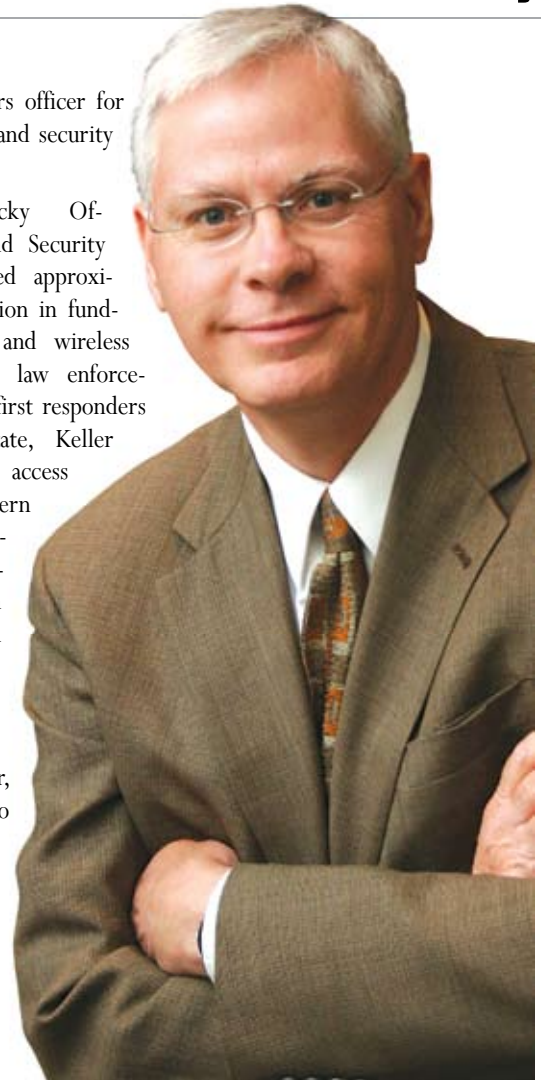
The creation of Kentucky's fusion center, as well as others in the United States, is rooted in a December 2003 presidential directive to the U.S. Department of Homeland Security to better prepare the country to prevent and respond to threatened or actual terrorist attacks, major disasters and other emergencies, Bragg said.

The center officially opened in November, 2005, with \$250,000 in start-up funding from the U.S. Department of Homeland Security, according to Jason Keller,

chief public affairs officer for the state's homeland security office.

The Kentucky Office of Homeland Security has also allocated approximately \$6.6 million in funding for MDCs and wireless infrastructure to law enforcement and other first responders across the state, Keller added. Wireless access projects in northern and eastern Kentucky are complete and western Kentucky should be finished by the late spring of this year, he said.

By the summer, the agency plans to have a tip line in place at 1-800-Eye-OnKY. 📞



▶ David Bragg is the director of Kentucky's Information and Intelligence Fusion Center.

## Intelligence Infusion: Fusion Center Asking for More Law Enforcement to Share

/Jamie Neal, Public Information Officer

It was about 2:30 a.m., and Sgt. George Schreiner was on his usual rounds in the northern Kentucky city of Alexandria when he noticed a man near the dam at the community park, which includes a seven-acre lake.

After ensuring the man left the park, Schreiner immediately entered the information into the e-Intelligence section of the electronic-reporting system known as KY OPS, sending the tip to criminal intelligence analysts at the state's Information and Intelligence Fusion Center for review.

The fusion center needs more law enforcement to log onto KY OPS and submit reports like Schreiner's so Kentucky State Police analysts can use them to assess potential patterns and hazards and help prevent and solve more crimes throughout the state – terrorism-related and otherwise, said Alecia Webb-Edgington, executive director of the Kentucky Office of Homeland Security.

Listing other reasons that law enforcement agencies should use KY OPS, Webb-Edgington pointed out that "It's free. It's easy to use. We train for free. We'll maintain it."

The program, which KSP oversees, also gives a law enforcement agency the ability to store and search the electronic information its officers have submitted.

"It has been working flawlessly for us from day one," Alexandria Police Chief Mike Ward said. "It has just been great to work with."

Created based on the setup of the familiar software TurboTax, KY OPS – Kentucky's Open Portal Solution – includes drop-down menus with Kentucky Revised Statutes and Uniform Offense Reports. The program went online in 2000 with one application, e-Crash, which allowed officers to report vehicle collisions. Since then, components have been added for reporting crime, traffic citations and warnings and other incidents.

E-intelligence came on board in December 2005 so that officers could provide the KSP Intelligence Branch with reports about any sort of suspicious activity that could be linked to crime. Based on the reports, KSP analysts may see a pattern and help connect local agencies to work on the issue together.

Of the 421 law enforcement agencies in Kentucky, approximately 236 are using every offering on the KY OPS menu, Webb-Edgington said. Some agencies are employing one or more of the reporting programs but not all of them, she concluded.

For further information about KY OPS, contact KSP Lt. John Carrico or Dorothy Luckett at (502) 227-8700. ■

# Safety & Sanctuary

KCPP Creates Religious Facility Assessment Program to Prepare Kentucky's Houses of Worship

/Jacinta Feldman Manning

A small group of church members sat quietly in the pews at the Gardenside Christian Church in Lexington two days before Easter. Illuminated only by the faint light streaming through the stain glass windows that lined the walls, they all gazed steadily at the pulpit.

But they weren't there to prepare for the Christian church's holiest day of the year. They were there to prepare for terrorism.

Gardenside Christian Church was one of the first religious facilities in the state to participate in the Kentucky Community Preparedness Program's new faith-based public safety initiative that will help prepare houses of worship for a hostile event, act of violence or vandalism.

"We live in different times than when I first started preaching years ago," said Joe Cooper, pastor at Gardenside Christian Church. "It is our obligation to be aware of what is happening in this world, be able to face it and hopefully overcome it."

Cooper has been a minister for 35 years. He has seen congregations robbed and burglarized and has been personally threatened.

"I thought this program was very eye opening and very informative," he said. "It deals with issues that we don't often think about, but that we should."



/Photo by Jacinta Feldman Manning

Lt. Governor Steve Pence unveiled the program publicly on April 17. He made the announcement in the same sanctuary where members of the Gardenside congregation had learned how to better prepare their church only days before.

"It's a sad reality, but today houses of worship, regardless of their religious affiliation, can become victims of violence. Across America and even here in Kentucky we have seen congregations affected by fires and vandalism," Pence said. "Freedom of religion is one of the most basic and revered principles on which this country was founded, and this program will help ensure that people can carry out that freedom safely."

U.S. Attorney Amul Thapar, who attended the unveiling, said that the program marked both a great and sad day in Kentucky and the United States.

"It's a great day because no longer will any form of terrorism be tolerated against our houses of worship. They are an integral part of

our community, and they must be secured. It's a sad day because terrorists, criminals and vandals know no bounds," Thapar said.

The religious facility assessment program is an adaptation of the Kentucky Community Preparedness Program. KCPP is the Department of Criminal Justice Training's homeland security initiative that strengthens the security of Kentucky communities by locating and eliminating potential vulnerabilities. The religious facility assessment program will teach religious leaders to perform a self assessment on their facilities using a similar methodology used by the KCPP assessors. Through the program they will learn to recognize their vulnerabilities and how to strengthen security.

Across the United States, religious facilities have increasingly become victims of vandalism and crime. Earlier this year, a string of what investigators believe were intentionally-set fires, destroyed 10 churches in Alabama.

Kentucky's houses of worship are not immune.



In May 2001, a man opened fire during a service at the Greater Oak Missionary Baptist Church in Hopkinsville killing his estranged wife and another woman.

"Religious facilities can be uniquely vulnerable because of their openness in a community," said Kentucky Office of Homeland Security Director Alecia Webb-Edgington. "No one can completely prevent violence, but through this program we will hopefully be able to equip religious facilities across the state with the necessary tools they need to protect their congregations from these acts."

KCPP Assessor Ron Meadows developed the religious facility assessment program. Meadows is a retired battalion chief with the Lexington Fire Department and an ordained minister. With his extensive experience in both the ministerial and public safety fields, Meadows had an acute understanding of the need for improved safety in religious facilities.

"The world is changing and we are seeing that," said Meadows, who was ordained in 1959. "It's a sad thing when we have to lock up our schools, but it's really a tragic thing when we have to lock up our churches. Churches are places of worship, they are places of tranquility and they are increasingly

becoming victims of violence."

The program teaches religious leaders how to do a self assessment of the physical property and of policies and procedures as they relate to terrorism or incidents of mass violence. It also promotes awareness of vulnerabilities and makes suggestions for prevention, deterrence and mitigation of hostile acts.

When the Kentucky Community Preparedness Program started traveling the state in February 2005, churches and other houses of worship were not originally included as critical infrastructure. The program quickly recognized their importance in a community and began assessing some religious facilities at the request of the communities.


But the assessment teams could not reach all religious facilities during their week-long stay in a community. The religious facility assessment program was created to bring the churches together so they could all benefit from the program.

The two-hour program consists of a PowerPoint presentation covering the threat to worship facilities, the risks involved and recommendations for developing a safe and secure facility. There is also a questionnaire to inform participants regarding security risks and a self-

assessment form participants can use when assessing their facility.

"We're going to raise their awareness because most people in churches feel like 'it can never happen here,'" Meadows said. "By the nature of the facility they don't view it that way. They view it as a sacred place. They see it as exempt from violence."

KCPP hosted its pilot project in Menifee County in February. In the future, the assessment teams intend to present the program on a community-wide level and invite all interested religious leaders to attend.

"Every church needs to consider what they can do to provide a safer atmosphere for their worshipers and consider what things they can do to increase the security of their facilities," Meadows said. "Our function will be to raise their awareness. There's no magic formula, it's just common sense that most religious leaders use in their businesses and their homes, but they just don't apply it to their churches." 

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**Any church interested in learning more about the religious facility assessment program can contact Chuck Melville or Ron Meadows at (859) 622-6824.**

## Recent Church Shootings

In the past decade, houses of worship have increasingly become victims of violence and vandalism. Across America, sanctuaries, which were once seen as safe havens exempt from evil and hatred, have been the scene of several deadly shootings.

■ **March 11, 1999** – A man burst into a church service at New St. John Fellowship Baptist Church in Gonzales, Louisiana and opened fire as he walked down the aisle, killing his wife and child and wounding four others. The gunman also fatally shot his mother-in-law at home before going to the church.

■ **September 15, 1999** – Seven people were killed when a 47-year-old Texas man opened fire during a prayer service for teenagers at the Wedgewood Baptist Church in Fort Worth, Texas. According to police, the shooter also rolled a pipe bomb down one of the church's aisles. They said the bomb exploded, but caused little damage.

■ **May 18, 2001** – During a revival service, a man opened fire at the Greater Oak Missionary Baptist Church in Hopkinsville, Kentucky, killing his estranged wife and another woman.

■ **March 30, 2003** – Nearly a dozen people were injured trying to

flee when a gunman stood up and killed another man during a Sunday church service at St. Paul's Albanian Catholic Church in Rochester Hills, Michigan. Police said the gunman apparently approached the victim from behind and fired from about three or four feet away.

■ **March 12, 2005** – A church member opened fire on a group of men, women and children attending a weekly church service at a Brookfield, Wisconsin, hotel, killing eight people — including himself — and seriously wounding four others. Authorities say the gunman was upset about a taped sermon he had heard weeks before by one the church's chief evangelists.

■ **February 26, 2006** – A 22-year-old man shot and killed a 38-year-old woman and wounded a girl sitting next to her at the Zion Hope Missionary Baptist Church in Detroit, Michigan. After the church shooting, he shot and killed another man in an attempted carjacking nearby, police said, and later killed himself. ■

# KCPP ASSESSED COMMUNITIES



## BALLARD COUNTY

**Population:** 8,277  
**Size:** 251 square miles  
**County Judge Executive:** Bob Buchanan

**Sheriff:** Todd Cooper

**Date of assessment:** March 20 to March 24

**Sites assessed:** Ballard Memorial High School; Ballard County Middle School; Ballard County Elementary School; Ballard County Preschool/Headstart; Ballard County Courthouse; Newpage; Meadwestvaco Corporation; US 60/62 Bridge; Canadian National Railroad Bridge; Economy Boat Store; 911 center; one private facility



## CORBIN

**County:** Whitley  
**Population:** 7,932  
**Size:** 7.4 square miles  
**Class:** Fourth Class City  
**Mayor:** Eddie Amos Miller  
**Chief:** J.C. Mullins

**Sheriff:** Lawrence Hodge

**Date of assessment:** February 13 to February 17

**Sites assessed:** Baptist Regional Medical Center; Corbin High School; Corbin Middle School; South Elementary School; Corbin East School; Central Primary School; St. Camillus Academy; Corbin Center for Technology and Community Affairs; Corbin Area Technology Center; Corbin Water Treatment Plant; Corbin Waste Water Treatment Plant; City of Corbin Government Center; Eastern Kentucky University's Corbin campus; Heritage Nursing Home; Corbin Nursing Home; Corbin City Utilities



## DRY RIDGE

**County:** Grant  
**Population:** 2,068  
**Size:** 4.7 square miles  
**Class:** Fifth Class City  
**Mayor:** William Cull  
**Sheriff:** Randy Middleton

**Date of assessment:** January 23 to January 27

**Sites assessed:** Dry Ridge City Building; Dry Ridge Fire Department; Williamstown Waste Water Treatment Plant; Mason Corinth Elementary School; Grant County Middle School; Grant County High School; Dry Ridge Elementary

School; Crittenden Mt. Zion Elementary School; Williamstown Independent School; St. Elizabeth Medical Center; Eagle Creek Learning Center; Grant County Court House; Williamstown Water Treatment Plant



## ELKTON

**County:** Todd  
**Population:** 1,964  
**Size:** 2.1 square miles  
**Class:** Fourth Class City  
**Mayor:** John Walton  
**Chief:** Gerald Barnett

**Sheriff:** Keith Wells

**Date of assessment:** March 20 to March 23

**Sites assessed:** Elkton City Hall/ Elkton Police Department; Elkton Crop Service; Elkton Fire Department; Elkton Waste Water Treatment Plant; Kentucky Cabinet for Health and Family Services – Department for Community Based Services; Kentucky Department of Highways Maintenance Garage; Martin Industries; Pennyrile Electric Warehouse; Southern States Cooperative; Todd County Central High School; Todd County Courthouse; Todd County Dispatch EMS (E911); Todd County Law Enforcement Communications Tower; Todd County Health Department; Todd County Middle School; Todd County Road Department



## FULTON

**County:** Fulton  
**Population:** 2,636  
**Size:** 2.8 square miles  
**Class:** Fourth Class City  
**Mayor:** Edward Crittendon

**Chief:** Daniel Kreinest

**Sheriff:** Robert Hopper

**Date of assessment:** January 29 to February 3

**Sites Assessed:** Fulton City Hall; Fulton Fire and Police Departments; First Baptist Church; Parkway Regional Hospital; Wal-Mart; Fulton Water Plant; Fulton High School; Carr Elementary School



## HARTFORD

**County:** Ohio  
**Population:** 2,603  
**Size:** 2.6 square miles  
**Class:** Fifth Class City  
**Mayor:** Earl Russell



**Chief:** Daniel McEnroe

**Sheriff:** Elvis Doolin

**Date of assessment:** April 3 to April 7

**Sites assessed:** Ohio County Community Center; Ohio County Courthouse; Ohio County High School; Ohio County Middle School; Wayland Alexander Elementary School; Ohio County Water Treatment; City of Hartford Water Department; Ohio County Hospital; Wal-Mart; other private facilities



## HAZARD

**County:** Perry

**Population:** 4,745

**Size:** 7 square miles

**Class:** Third Class City

**Mayor:** William Gorman

**Chief:** Ronnie Joe Bryant

**Sheriff:** Pat Wooton

**Date of assessment:** February 13 to February 17

**Sites assessed:** Hazard City Hall; Hazard Water Treatment Plant; Hazard fire and police departments; Perry County Courthouse; Perry County Hall of Justice; Hal Rogers Center/RULETC; ARA Regional Health Center; Hazard Airport; Wal-Mart; Buckhorn Dam; Perry County High School; Roy G. Eversole Middle School; Hazard High School; New Beginnings Center



## HOPKINSVILLE

**County:** Christian

**Population:** 28,678

**Size:** 24 square miles

**Class:** Second Class City

**Mayor:** Richard Liebe

**Chief:** Kermit Yeager

**Sheriff:** Billy Gloyd

**Date of assessment:** March 27 to March 31

**Sites assessed:** Christian County Alternative School; Christian County Day Treatment Center; Christian County High School; Christian County Middle School; Christian County Justice Center; Commonwealth Agri-Energy, LLC; Hopkinsville Christian County Emergency Operations Center; Hopkinsville Electrical System; Hopkinsville High School; Hopkinsville Middle School; Hopkinsville Police Department; Lackey Municipal Building; Moss Water Treatment Plant; North Drive Middle School; Southern States Co-op; Wal-Mart



## MIDDLESBORO

**County:** Bell

**Population:** 10,384

**Size:** 7.6 square miles

**Class:** Third Class City

**Mayor:** Ben Hickman

**Chief:** Jeff Sharpe

**Sheriff:** Bruce Bennett

**Date of assessment:** February 20 to February 24

**Sites assessed:** Cumberland Gap Tunnel; Middlesboro-Bell County Airport; Middlesboro ARH Hospital; Middlesboro City Hall; Middlesboro Fire Department; Middlesboro High School; Middlesboro Intermediate School; Middlesboro Mall; Middlesboro Middle School; Middlesboro Police Department; Middlesboro Primary School; Middlesboro Street and Sewer Department; Middlesboro Waste Water Treatment Plant; Southeast Community College; Water Service Corporation of Kentucky – Fern Lake; Yellow Creek School



## MOUNT STERLING

**County:** Montgomery

**Population:** 6,033

**Size:** 3.4 square miles

**Class:** Fourth Class City

**Mayor:** Gary Williamson

**Chief:** Michael Schnell

**Sheriff:** Fred Shortridge

**Date of assessment:** January 23 to January 27

**Sites assessed:** Montgomery County High School; Mapleton Elementary School; McNabb Middle School; Camargo Elementary School; Mount Sterling Elementary School; Clay Center/MSU Campus; Montgomery County E-911 Center; Montgomery County Health Department; Mary Chiles Hospital; Montgomery County Fire/EMS; Montgomery County Courthouse and Annex; Kentucky State Highway Garage; Nestle-USA; Montgomery Stone; Mount Sterling Water Treatment; Pre-School Facility; Montgomery County Area Technical Center



## OWENTON

**County:** Owen

**Population:** 1,453

**Size:** 2.2 miles

**Class:** Fifth Class City

**Mayor:** David Wotier

**Chief:** Terry Gentry

**Sheriff:** Zemer Hammond

**Date of assessment:** April 3 to April 7

**Sites assessed:** Kentucky American Waste Water Treatment Plant; Kentucky American Water Company; Kentucky Department of Transportation Garage; New Verizon Hospital; Owen County Courthouse and Clerk's Office; Owen County Elementary School; Owen County Primary School; Owen County Fairgrounds; Owen County Health Department; Owen County Road Barn and Life Squad; Owen Electric Cooperative; Owenton – Owen County Volunteer Fire Department; Owenton City Hall and Police Department; Southern States





## PAINTSVILLE

County: Johnson  
Population: 4,031  
Size: 5.3 square miles  
Class: Fourth Class City  
Mayor: Douglas Pugh  
Chief: Larry VanHoose

**Sheriff:** Bill Witten

**Date of assessment:** February 27 to March 3

**Sites assessed:** Paintsville City Hall/911; Johnson County Courthouse; Johnson County Judicial Center; Paintsville Utilities; Paintsville High School; Paintsville Elementary School; Johnson Central High School; Johnson County Middle School; Highland Elementary School; Flat Gap Elementary School; Paul B. Hall Medical Center; Paintsville Lake Dam; West View Manor High Rise; Carl D. Perkins Rehabilitation Center; Wal-Mart Super Center; one private facility



## RUSSELLVILLE

County: Logan  
Population: 7,202  
Size: 10.6 square miles  
Class: Fourth Class City  
Mayor: Shirlee Yassney  
Chief: Barry Dill

**Sheriff:** Wallace Whittaker

**Date of assessment:** February 20 to February 24

**Sites assessed:** Russellville High School; Russellville Middle School; R. E. Stevenson Elementary School; Logan Memorial Hospital; Russellville Police Department; Russellville City Hall; Russellville Fire Department; Russellville Water Department; Emergency Operations Center; Logan County Detention Center; Logan County Sheriff's Office; Wal-Mart; Logan County Courthouse; Logan County High School; two private facilities



## SCOTTSVILLE

County: Allen  
Population: 4,413  
Size: 5.8 square miles  
Class: Fourth Class City  
Mayor: Rob Cline  
Chief: Don Rutheford

**Sheriff:** Les Marsh

**Date of assessment:** March 27 to March 31

**Sites assessed:** Allen County Primary Center; Allen County Scottsville Law Enforcement Center; Barren River Lake Dam; City County Building; Douglas Hurt Memorial Water Treatment Plant; James E. Bazzel Middle School; Victory Hill Ministries School; YMCA of Scottsville and Allen County



## SHELBYVILLE

County: Shelby  
Population: 10,390  
Size: 7.6 square miles  
Class: Fourth Class City  
Mayor: Tom Hardesty  
Chief: Robert Schutte

**Sheriff:** Mike Armstrong

**Date of assessment:** February 27 to March 3

**Sites assessed:** Clear Creek Family Activities Center; Jefferson Community and Technical College, Shelbyville Campus; Jewish Hospital Shelbyville; Masonic Home Shelbyville; North Central District Health Department; Shelby County Courthouse; Shelby County Detention Center; Shelby County E911; Shelby County Emergency Medical Services; Shelby County East Middle School; Shelby County Health Department; Shelby County High School; Shelby County Suburban Fire Station No. 1; Shelby County West Middle School; Shelbyville City Hall; Shelbyville Fire Rescue Station No. 1; Shelbyville Police Department; Shelbyville Water Treatment Plant; Simpsonville City Hall; other private facilities

## TOMPKINSVILLE



County: Monroe  
Population: 2,654  
Size: 3.7 square miles  
Class: Fifth Class City  
Mayor: Windell Carter  
Chief: Roger Dale Ford  
Sheriff: Jerry Gee  
Date of assessment: April 10 to April 14

**Sites assessed:** Monroe County Courthouse; Monroe County High School; Monroe County Middle School; Tompkinsville Elementary School; Wal-Mart; City of Tompkinsville Water Plant; Monroe County Medical Center; one private facility



## VERSAILLES

County: Woodford  
Population: 7,487  
Size: 2.8 square miles  
Class: Fourth Class City  
Mayor: Fred Siegelman  
Chief: John Wilhoit

**Sheriff:** John Coyle

**Date of assessment:** March 6 to March 10

**Sites assessed:** Bluegrass Community Hospital; Falling Springs Arts and Recreation Center; Kentucky Community and Technical College System Office; Kentucky Utilities Tyrone Generating Station; Midway City Hall and Visitor



Center; Midway Waste Water Treatment Plant; OSRAM Sylvania Lamp Manufacturing; Versailles Municipal Building; Versailles Municipal Water Plant; Versailles Police Department; Versailles Waste Water Treatment Plant; Woodford County Courthouse; Woodford County Courthouse Annex; Woodford County Health Department; Woodford County High School; Woodford County Middle School; Y H America, Inc.



## WHITLEY CITY

**County:** McCreary  
**Population:** 1,111  
**Size:** 2.3 square miles  
**Sheriff:** Clarence Perry  
**Date of assessment:**  
 March 13 to March 16

**Sites assessed:** Kentucky Department of Transportation District No. 8 Maintenance Garage; McCreary County Ambulance Service; McCreary County Board of Education; McCreary County Central High School; McCreary County Community College; McCreary County Courthouse; McCreary County Courthouse Annex; McCreary County 911 Center; McCreary County Road Department; McCreary County Water Districts No. 1 and No. 2; Outdoor Ventures, Inc.; Pine Knot Intermediate School; Pine Knot Primary

School; Whitley City Elementary School; Whitley City Middle School



## WINCHESTER

**County:** Clark  
**Population:** 16,378  
**Size:** 7.6 square miles  
**Class:** Third Class City  
**Mayor:** Dodd Dixon  
**Chief:** William Jackson II

**Sheriff:** Ray Caudill  
**Date of assessment:** January 17 to January 20  
**Sites assessed:** Apollo Oil Company; Clark County Court House; Clark County Court House Annex; Clark Middle School; Clark Regional Medical Center; East Kentucky Power Cooperative Business Office; East Kentucky Power Cooperative (J.K. Smith Power Station); George Rogers Clark High School; Hanna McClure Elementary School; Kentucky Utilities; Providence Elementary School; Strode Station Elementary School; Wal-Mart; Winchester City Hall; Winchester Fire Station No. 1; Winchester Fire Station No. 2; Winchester Fire Station No. 3; Winchester Municipal Utilities; Winchester Police Department

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## PROFILE BIO

### CHUCK MELVILLE

graduated from Eastern Kentucky University in December 1976 with a Bachelor of Science in Police Administration. He began a 28-year career at the Cincinnati/Northern Kentucky International Airport Police Department in March 1977. He climbed through the ranks working in patrol, investigations and administration until being appointed chief in 1996. Chuck attended the 151st Session of the FBI National Academy in Quantico, Virginia. In 1998, he was appointed president of the Northern Kentucky Police Chiefs Association and served on the executive board of the Kentucky Association of Chiefs of Police as the chairman of the Peace Officers Professional Standards Committee until 2005. He was named Police Chief of the Year by the Northern Kentucky Region Area Development District in 1999. Melville is a Kentucky Law Enforcement Council instructor. In March 2005, he retired from the Cincinnati/Northern Kentucky International Airport Police Department and accepted a position with the Department of Criminal Justice Training as the executive director of the Kentucky Community Preparedness Program. This is a state homeland security initiative to reach out to small- and medium-sized communities in Kentucky and perform vulnerability assessments. He and his wife, Tina, have two daughters, Erin and Emily.



/Photo by Elizabeth Thomas

# Chuck Melville

### What is your most rewarding experience in the field of law enforcement?

I spent close to 30 years as a sworn law enforcement officer. From the first day to the last I felt rewarded by being part of a great profession. It was the people that I worked with over the years that made the difference. My time at the Cincinnati/Northern Kentucky International Airport Police Department was spent meeting and working with people from all over the world. The Kenton County Airport Board provided the police department with the support and tools necessary to be a first-class operation, and the people who worked there made every day a joy. I had many experiences both good and bad.

There were many opportunities to use the training I received as a police officer. In working with the public there were times that I was recognized for doing my job but the official public recognition was nothing compared to a simple, heartfelt thank you from a parent just reunited with a lost child or a traveler after the 9/11 tragedy stopping to say thanks and that they felt better about traveling just because I was doing my job. The knowledge

that the majority of people we were working for respect the badge and all that it stands for kept me going throughout my career.

### What is your position at DOCJT and how does it fit with the overall mission?

I am the executive director of the Kentucky Community Preparedness Program. The KCPP is a unique security initiative of the Kentucky Office of Homeland Security. The Community Preparedness Program is a federally funded grant program that was targeted to perform vulnerability assessments on 60 small- to medium-sized communities in Kentucky. The program has been expanded to reach an additional 30 communities through June of this year and we expect to continue this vital service to cover communities in all 120 counties.

The KCPP is an outreach program that takes the homeland security message of preparedness to communities to help them evaluate their situation and determine a plan to help them prevent criminal acts or prepare for natural disasters that could cripple their communities. The Community Preparedness Program is a program that DOCJT



put together jointly with the Kentucky Association of Chiefs of Police, the Kentucky Sheriffs' Association, the Kentucky League of Cities, the Kentucky Association of Counties, the Kentucky Law Enforcement Council and the Kentucky Office of Homeland Security. Through it we are able to reach and work through the law enforcement community in this effort.

## What are the advantages of a city participating in the Kentucky Community Preparedness Program?

The preparedness program is an opportunity for a city or county to have a group of trained experts come into their community, take an independent look at the critical facilities and infrastructure and catalogue their response capabilities. We are then able to make some recommendations to the government leaders and site managers on how to improve their readiness to protect against a criminal act or to respond to one. Many of the recommendations also help to prepare a community in the event of a natural disaster. This is all done at no cost to the community. If a community then acts on our recommendations they may be eligible to be reimbursed for their expenditures up to \$10,000.

The vulnerability assessment also helps to justify additional homeland security grant requests. In the first year of the program I have been able to meet with many chiefs, sheriffs, mayors and county judge executives. I have heard many stories of improvements made as a result of our teams' visits. Equipment has been purchased and procedures changed or updated. Many things that had been discussed but never quite found the right support became important for change. Just getting government leaders, first responders, business owners and school administrators together to talk about readiness issues and how they can directly influence their community in such a positive way is one of the biggest benefits that I can see.

## What experience, training and goals did you bring to DOCJT after retiring as chief of the Cincinnati/Northern Kentucky International Airport Police Department?

I am a graduate of Eastern Kentucky University with a bachelor's degree in Police Administration. In March of 1977 I joined the police department at the Greater Cincinnati Airport. On January 1, 1996 I was appointed chief. I also served as an airport security coordinator

between the airport and the Transportation Security Administration. I retired from the airport police department on March 31, 2005. I attended DOCJT Basic Training in Class No. 91. I am a graduate of the 151st Session of the FBI National Academy, and attended the Secret Service Dignitary Protection Seminar in Washington, D.C. I am a member of the International Association of Chiefs of Police and have served as the president of the Northern Kentucky Police Chiefs' Association.

In 1997 and '98 I was honored to serve on the committee that developed the POPS program for the Commonwealth. I have served on the executive board for the FBI's Northern Kentucky Joint Terrorism Task Force and the U.S. Attorney's Anti-Terrorism Advisory Committee for the Eastern District of Kentucky. I look to continue to serve the law enforcement community in Kentucky by working to reach out to every department and helping them to find the best ways possible to serve their communities. The message of prevention and preparedness that the Kentucky Office of Homeland Security is bringing to the Commonwealth is vital for our state. The men and women of the KCPP are reaching all parts of Kentucky and I am glad to be a part of their efforts.

## How do you like to spend your time when you are away from the DOCJT?

The majority of my time is spent with my family. During my early career in law enforcement I worked the rotating shifts, weekends and holidays and missed some of that time with my family. Now I can take the time for my wife and daughters without the fear of being interrupted by a call to return to the police department for this or that emergency. I also devote several hours a week to working with programs at church. I have been blessed in my life and I want to share what I have been given.

## What have been some of the most prominent changes that you have seen in the field of law enforcement training?

The implementation of the Peace Officer Professional Standards law in 1998 made some of the most sweeping changes in law enforcement in Kentucky. The standardization of the requirements for becoming a police officer and the ongoing training requirements put Kentucky far ahead of many other states. I have been able to work with law enforcement managers from all over the country and have not found any that offered the range and quality of programs that we provide.

There are many good programs available but many are at a cost that is unattainable by smaller departments. In Kentucky we have recognized a need for aiding the career development of our officers and telecommunications. The training that we provide is a planned, cooperative effort to improve not only the departments but the officers as well. I spent most of my career as a supervisor. I was lucky to have the benefit of some first-class mentors and some chiefs that saw the importance of advanced training and allowed me to develop my skills as an administrator. Through the foresight of the staff here at DOCJT, we have brought supervisor and management training to the forefront. We are making it available to all departments in Kentucky and by doing so we are moving Kentucky law enforcement to the forefront of our profession.

/Photo by Jacinta Feldman Manning





/Photo by Elizabeth Thomas

## PROFILE BIO

### LINDA RENFRO

received an associates degree from Eastern Kentucky University in 1975 and began employment at DOCJT two days after graduation. She then left for a few years to work for the Circuit Clerk's Office and then the District Clerk's office in Madison County. Renfro returned to DOCJT in 1984 to pursue her career. At DOCJT she has worked for in-service training, breath test training, registration/records, training operations and currently works for the director of the Training Support Division. She and her husband, Glen, have been married for 31 years. They have two sons, Shaun and Craig.

# Linda Renfro

### Who has been the most positive influence on you during your career and how?

There are so many people who have made a positive influence in my career it would be hard to name them all. My husband and sons encourage me in all areas of my life and my youngest son has taught me perseverance in all circumstances. I have been in several administrative positions at DOCJT and I learned from each of my supervisors. Doug Czor was instrumental in my first promotion that started advancement in my career at DOCJT. I have worked for three directors, Bernie Thompson, Greg Howard and currently Don Pendleton, and they have helped me to be successful in my job. I believe that if you keep an open mind and are willing to learn from others you will grow professionally and personally.

### While working at DOCJT, you have been involved in numerous projects. What are some of the most significant?

During my career at DOCJT I have worked on several projects such as Drug Control Assessment Summit, IADLEST conference, Kentucky Employees Charitable Campaign, Carrying Concealed Deadly Weapons, Kentucky Community Preparedness Program, DOCJT Competition Shoot and more. I enjoy beginning a project and seeing it progress. One significant project was development of the Breath Test Training Section. When DOCJT was given the task of overseeing breath test training for the state, a new section was developed including a supervisor, two instructors and one administrative staff. I was promoted to the administrative position and was given the task of setting up office procedures and files. Doug Czor, Terry Mosser, Patty Davidson and I worked together as a team to prepare for the training and continued to develop the successful training program.



**What is the most rewarding part of working as training support for law enforcement?**

I enjoy my job and the people I work with. It is rewarding to realize that what you do each day is just a small part of what makes our communities safer places to live and work. The interaction with law enforcement personnel helps me understand why our jobs are important. In a training support position I work with staff from all areas of the department and see how we all work together to reach our goals.

**You were instrumental in the formation of the Kentucky Law Enforcement Memorial Foundation. What satisfaction do you receive by helping the KLEMF?**

One of the most satisfying things we can do in life is to make a positive difference in someone else's life. By assisting the foundation I can be a part of helping family survivors and others in law enforcement when there are special needs. I get the opportunity to talk with the families and realize how much they appreciate what the foundation does to assist them. I am fortunate to have the opportunity to work with a very professional group of people that make up the foundation board.

**How do you like to spend your time when you are away from DOCJT?**

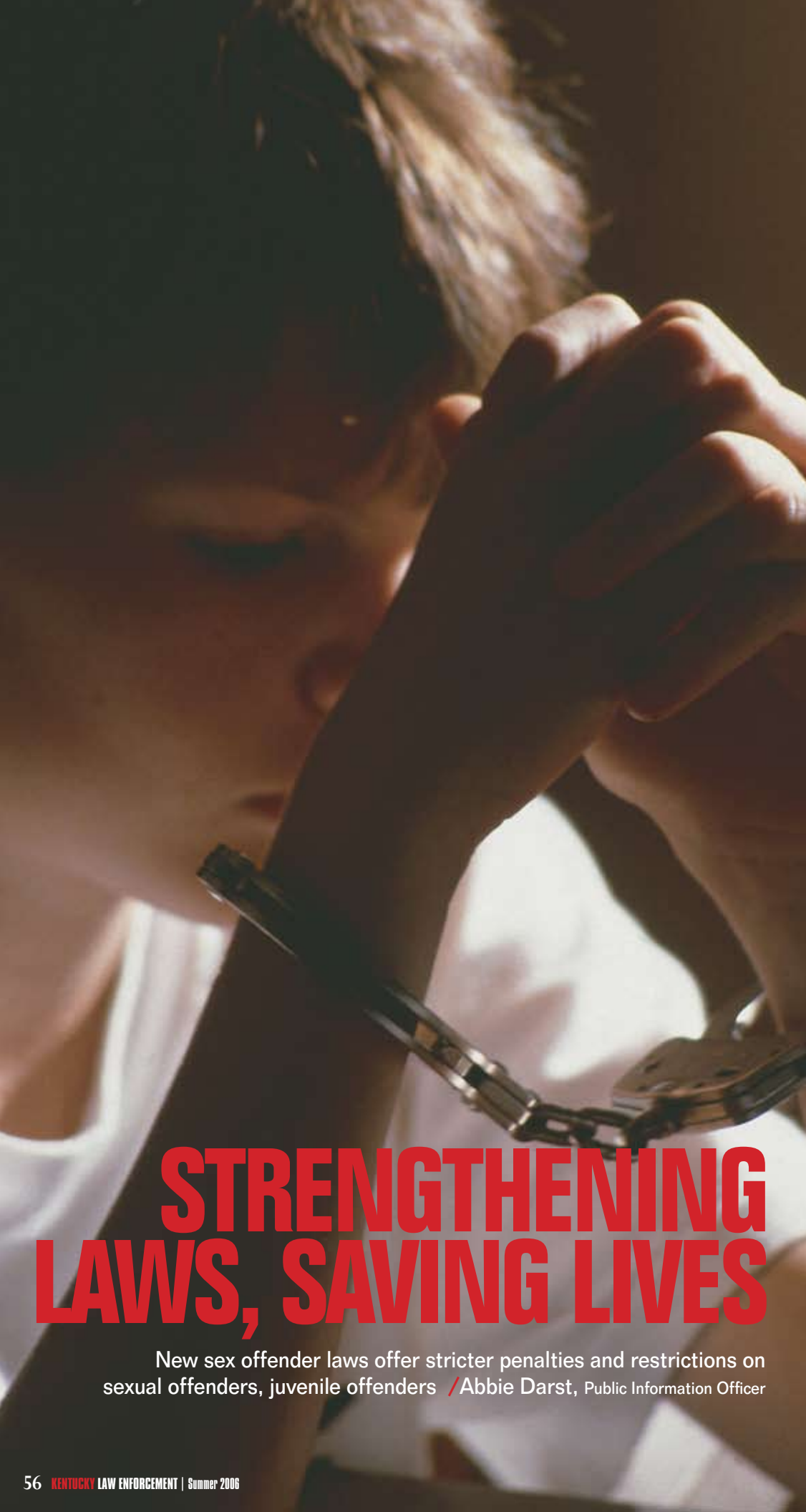
I enjoy spending time with my family and friends. I am blessed with a wonderful husband of 31 years, Glen, and two sons, Shaun and Craig. One son is married and the other will be soon, so we are enjoying seeing our family grow. I like to go on vacations with family and friends, especially cruises, and just spend time together. My favorite hobbies are fishing, antiques, auctions and reading. I am also very involved in church activities at Unity Baptist Church, where I am a member.

**You were born and reared in Madison County. Do you feel as though you have given back to the Madison County community in some way?**

DOCJT is involved in several fund raising events for charitable organizations such as the Kentucky Employees Charitable Campaign, March of Dimes and Big Brothers/Big Sisters. For the past several years I had the opportunity to assist with the Kentucky Employees Charitable Campaign. A portion of the money raised from these events goes to organizations that help those with special needs in Madison County. Our department has some of the most generous people I have ever met, and we always meet or exceed our goals. I work with the Kentucky Law

Enforcement Memorial Foundation educational scholarship program and some of those scholarships have been awarded to residents of the county. At least once a month I assist with God's Lunch Room that provides free lunches each Saturday in Richmond. 🍷





# STRENGTHENING LAWS, SAVING LIVES

New sex offender laws offer stricter penalties and restrictions on sexual offenders, juvenile offenders /Abbie Darst, Public Information Officer

A parent's worst nightmare – a child abducted, abused, raped or murdered, followed by the daunting feeling that it could have been prevented if only something had been done sooner. Larry Harris knows that feeling all too well.

Harris' son, Ryan, was robbed in Lexington on January 5, 2002 by three juveniles, Daniel Gordin, Joey Reynolds and Summer Turner. His son chose to follow the perpetrators to get a license plate number. The juveniles became agitated with Harris' son and began firing shots at his car, which resulted in his death.

Harris told his story to the group gathered at Peaks Mill Elementary School April 18 when Governor Ernie Fletcher signed House Bill 3, also known as the sexual predator law. Under the new law, juvenile records will be available to the police for the first time. Those juveniles convicted of felonies or crimes involving a deadly weapon will also be available to the public.

Harris believes that since these juveniles had a previous record, if this law had been in effect previously, his son may still be alive today.

"I applaud the Kentucky Senate for not only passing House Bill 3, but also for strengthening the bill by adding a much-needed amendment to clarify our juvenile records laws," said Lt. Governor Steve Pence, who also serves as the secretary for the Justice and Public Safety Cabinet. "This legislation will help us protect the most vulnerable members of our society."

Release of juvenile records is only one part of the multi-faceted bill. House Bill 3, which is based on recommendations from the Kentucky Coalition Against Sexual Assaults that Pence spearheaded during 2005, also focuses



on strengthening the laws that govern convicted sex offenders in Kentucky.

The bill stipulates that convicted sex offenders may not reside within a minimum of 1,000 feet from the furthest point of the property line of schools, public pools and daycare centers. Those offenders who currently reside within 1,000 feet of these locations will be given 90 days to move in compliance with the law when it takes effect in mid July.

In addition, public schools and universities will have the authority to require initial hires, contractors, visitors and volunteers to have criminal background checks prior to working in and around schools and children.

“As we’ve seen in Florida, their laws have been made in response to incidents that made national news,” Senator Julie Denton said. “Instead of waiting for something to happen, and we have had some incidents here in Kentucky, it is important that we are proactive in protecting our children now.”

Under HB 3, possession of child pornography will change from a misdemeanor crime to a felony. Also, the amount of time a convicted sex offender must stay on the registry will increase from 10 to 20 years, and a jury will have the opportunity to sentence a repeat sex offender to a lifetime in prison without the possibility of parole for a minimum of 25 years.

Though to some these penalties seem a little harsh, both Pence and many members of the legislature agree that sympathies should lie with the victims – children and their families – rather than with the offenders.

“These particular predators, particularly sexual predators, are so prone to commit the offense again that the balance has to fall in favor of the public and protecting the public,” Pence said. “Will it be

a hardship on them? You bet. Do we need to do that to adequately protect the public? I believe the legislature has said we do.”

Denton agrees.

“Extending an offenders time on the registry is important. Stud-

will allow repeat sex offenders to be sent to prison for life with no possibility of parole. Doyle is also in favor of legislation that will expand the state’s use of Global Positioning System monitoring to track sex offenders released from prison. According to Doyle,

fense to provide a DNA sample.

According to Denton, HB 3 is a step in the right direction.

“I don’t think you can do anything that’s too bad or too stringent on sexual offenders,” she said. “It takes a lot to get the House and

“I don’t think you can do anything that’s too bad or too stringent on sexual offenders.”

ies show that these people cannot be cured, so I believe they need to be watched,” she said. “If repeat offenders demonstrate that they cannot be cured, I think we need to be tougher on sentencing. If they are always going to be a risk to society, they should be kept away from society for the rest of their lives.”

Kentucky is not the first state to stiffen the penalties for sex offenders. In April, Wisconsin Governor Jim Doyle signed a bill that

Wisconsin’s sex offender laws are among the strongest in the nation, and now Kentucky is joining them.

Wisconsin also passed a bill that expands the state’s DNA bank by forcing any criminal convicted of fourth-degree sexual assault, exposing oneself to a child or forcing children to expose themselves, to provide a DNA sample. Likewise, Kentucky HB 3 calls for juvenile offenders convicted of a felony of-

the Senate to agree on such a controversial issue, and as time goes by, I think the legislature will continue to step up to the plate and make even more changes in this area.”

During the April 18 bill signing, Governor Fletcher commended Lt. Governor Pence and the members of the General Assembly for supporting legislation to protect Kentuckians and their families. ■





# Protecting Kentucky's Children

KSP Crimes Against Children Unit Cracks Child Sex Abuse Cases

/Melissa Blankenship, Henry County Local

▲ Peaks Mill Elementary School students listen to presentations made during the House Bill 3 signing ceremony April 18.

In 2005, Kentucky State Police Post 5 in Campbellsburg opened and investigated 157 sex offense cases. In far too many instances, the victims in those cases were children.

Those matters are handled by the Crimes Against Children Unit at Post 5. When it was created in the early '90s, the CAC used one trooper to handle cases in the six-county area. Now four detectives are needed to manage the workload.

The CAC detectives handle cases involving sexual abuse including rape, sodomy and incest.

They also investigate criminal neglect (a growing issue with meth labs) and abandonment, as well as physical abuse and assault. They work to find missing or kidnapped children and also investigate child murders.

"The worst thing I ever had to do was go to an infant's autopsy," said Trooper Greg Larimore, who worked the CAC unit for eight years. "The mother had suffocated her six-month-old baby out of frustration because she couldn't get it to stop crying.

"My reward is stopping what happened," Lari-



more continued. “If I could put the bad guy or girl in prison for a long, long time, and make the child safe again or protect other children, I have done my job.”

Larimore, who now serves as Post 5’s Public Affairs Officer, said working with the CAC unit was one of the most rewarding aspects of being a trooper. Now he spends much of his time and effort in prevention and education so that children won’t become victims of crime. Recently, Larimore has been besieged with requests to speak about the dangers the Internet can pose to children.

In 2005, KSP’s Electronic Crime Section opened 51 cases involving child exploitation. In just the first two months of 2006, 23 cases were opened. Internet Crimes Against Children works closely with the National Center for Missing and Exploited Children to investigate cases involving child pornography and exploitation, and to educate children and parents about sexual predators at work on the Internet.

“We used to handle those cases at the post level,” Larimore said. “But since about the mid ‘90s, it had gotten to the point that it had grown so much we created a special section in Frankfort to handle it.”

KSP Det. Mike Viergutz transferred to the Frankfort ICAC after working CAC at Post 5. When he joined the state police, a primary goal for Viergutz was to work computer crimes. He finds that working with crimes that involve children can be especially rewarding.

“I don’t have kids, but it’s much more rewarding to know that children are no longer being exploited or hurt,” Viergutz said. “Science tells us that you can’t cure pedophiles, so you lock them up and hopefully throw away the key.”

While the number of ICAC cases is expected to increase dramatically this year, Viergutz is quick to point out his unit’s conviction rate. In 2005, of the 51 cases opened (some may be duplicate offenders and victims), 24 resulted in convictions for an average sentence of 10 years. The shortest sentence was five years and the longest was 104 years. Most of the offenses were federal.

“We got a conviction with a sentence of 405 years, but that’s on appeal so we can’t count it,” Viergutz said. “But I do.”

Viergutz said that with better child pornography laws and more advanced electronic forensics, even more convictions would be forthcoming. Unfortunately, he also predicts an increase in victims as more and more children have unsupervised access to the Internet.

“Parents need to learn more about where their kids are going and what they’re doing online,” Viergutz said. “There are a number of resources out there for parents. They just need to take the time to be proactive with their kids when it comes to computers.”

“Parents just need to pay attention because kids think that the information they’re putting out there is innocent, and it isn’t,” Larimore added. “‘I’m a student at such and such school. I’m 15 and here’s my picture.’ What do you think could happen? They’ll show up at the school.”

“If I could put the bad guy or girl in prison for a long, long time, and make the child safe again or protect other children, I have done my job.”

Both Larimore and Viergutz said that social networking sites like MySpace.com are not the problem, but the amount and specificity of the information that kids innocently put on their sites can lead a sexual predator right to them.

“The bottom line is that we’re all here to keep kids safe,” Larimore said. “If there is a child being abused or exploited, we need to know about it right away to get it stopped. Children are innocent, and all too often people they trust have hurt them and violated that trust. We want to bring relief to that child and stop the perpetrator from ever doing it again.”

*This article was written by Melissa Blankenship and reprinted with permission from the March 8, 2006 edition of the Henry County Local.*

## A New View for AMBER

### AMBER ALERT DEVELOPS NEW TECHNOLOGY TO IDENTIFY CHILDREN THROUGH PHYSICAL CHARACTERISTICS /NLECTC

**A child is reported missing every 40 seconds. Seventy-four percent of the abducted children who are murdered are dead within 3 hours of the abduction. Time is an abducted child's greatest enemy.\***

*\*From the AmberView Web site at [www.amberview.org](http://www.amberview.org)*

The above statistics illustrate one of parents' greatest fears — abduction of their child. During the past 10 years, the AMBER Alert program has begun to change those statistics by serving as a key tool for locating and returning missing children to their families.

The AMBER Alert early warning system, a voluntary partnership between law enforcement agencies and the media created in 1996, provides information to the public as quickly as possible following verification that a child is missing or abducted. Time and again, AMBER Alert has proven its value by helping to return children to their families. Success, however, does not preclude improvement.

AMBER Alert presently lacks the technology to instantaneously mass broadcast a high-resolution, three-dimensional photo to law enforcement and the media within minutes of an abduction. In addition, available descriptions and photos of the missing child, key to an AMBER Alert, often are vague or outdated and reach their destinations too slowly.

To enhance AMBER Alert, a new technology called AmberView is being developed through the West Virginia High Technology Consortium Foundation in Fairmont, West Virginia, in conjunction with and funded by the National Institute of Justice. The WVHTC Foundation is a nonprofit organization focusing on the regional and statewide growth of high-tech businesses. NIJ's Office of Law Enforcement Technology Commercialization in Wheeling, West Virginia, is a member of the consortium.

"AmberView is designed to work in collaboration with state and national AMBER Alert programs," said Robert Chico, program manager with WVHTC. "This new system has the ability to mass broadcast a digital image of an abducted child to law enforcement, media and private sector recipients via the World Wide Web within minutes of an official AMBER Alert. The high-resolution images can also be broadcast to 911 centers, media outlets, shopping malls, airport monitors, cell phones and other outlets to increase the chance of locating the child by involving a larger portion of the public in the search."

According to Chico, AmberView uses biometrics — the science of identifying individuals through physical characteristics

by taking a two-dimensional photograph and then using specialized software enhancements to create a three-dimensional avatar (image) that can be enlarged and rotated to view multiple angles.

"What results is a perfect, three-dimensional digital image," Chico said. "The process takes only a few minutes and photos can be updated every year on school picture day. Participation in AmberView would be voluntary and require parental/guardian consent. In addition, images and biographical information would be stored in a secure database on a secure server at the WVHTC Foundation, accessible only by authorized users. Within minutes of notification, thousands of people in a broad geographical area will have accurate, up-to-date information and be on the alert to help find the missing child."

Early last year, a pilot project involved scanning the facial images of 230 middle school students from three West Virginia counties. The project was unveiled to the media in a live, simulated child abduction demonstration in February 2005 at the WVHTC Foundation facility.

Parents, teachers, school administrators, state and local law enforcement officials and media representatives provided input to the AmberView process, which was then forwarded to NIJ.

"The pilot experienced no roadblocks and received much cooperation and enthusiasm from parents, schools and children," Chico said. "Schools opened their doors to allow the image captures. Law enforcement officials embraced the program and fully backed the launch of the pilot as evidenced by their active participation, attendance and positive comments. The pilot's success is a direct result of the hard work and the cooperation of academia, law enforcement, and the media who joined forces to return a child to the safety of its family." Actual implementation of AmberView within West Virginia began in August 2005. This included development of the AmberView Web site and establishment of the secure image repository at the WVHTC Foundation. Repository access, Chico notes, is restricted to the state AMBER Alert coordinator. "This next phase of AmberView is expected to take approximately 15 months to complete," he said, "and we plan to expand the system throughout the nation in future phases." ■

For more information about AmberView, contact Robert Chico at the WVHTC Foundation, (304) 366-2577 or [rlchico@wvhtf.org](mailto:rlchico@wvhtf.org), or visit [www.amberview.org](http://www.amberview.org). More information about AMBER Alert can be accessed at [www.amberalert.gov](http://www.amberalert.gov). For information on the WVHTC Foundation, visit [www.wvhtf.org](http://www.wvhtf.org).



# TWENTY LAW ENFORCEMENT EXECUTIVES GRADUATE FROM CJED CLASS VIII

/Abbie Darst, Public Information Officer

**L**aw enforcement leaders from 19 agencies across Kentucky graduated March 17 from the Criminal Justice Executive Development Program, an advanced leadership course for supervisors at the state's small- and medium-size agencies.

The class's 20 graduates included two chiefs and one assistant chief, as well as other high-ranking law enforcement executives.

The program's goal is to provide supervisors with modern theories, management techniques and leadership skills that will enable them to perform more effectively and efficiently in their departments and ready them for future command positions.

CJED is a five-week program. Students attend courses one week each month for five months. To participate in the program, attendees must be supervisors who rank sergeant or above, apply for entrance into the program and be selected by a committee of CJED graduates from across the state.

The program focuses on leadership and problem solving.

During the graduation ceremony, Maxwell Clay Bailey, director of the Kentucky Division of Emergency Management, discussed the importance of leadership training.

"You have to pay attention to leadership development," he said. "Leadership must be learned. People are not born leaders."

Bailey, a 32-year veteran of the U. S. Air Force, told the class that becoming a visionary is the best way to lead people.

"I believe you have to have a vision to give consistent leadership to the individuals you're charged to lead," Bailey said. "Vision is a lot different than goals and objectives – vision has to be a concrete thing that guides your unit on an everyday basis."

Hopkinsville Police Department Sgt. John



▲ Commissioner John Bizzack presents Chief Danny Caudill of the Harlan Police Department and Chief Shane Allison (right) of the Eddyville Police Department with Career Development Certificates for completing the Chief Executive program.

Thompson, class speaker for the ceremony, talked about how the information the class learned in their five weeks in the CJED program would prove useful throughout their careers.

"We're raising our standards to ensure that our communities receive the best services possible," he said.

Thompson also received the Commissioner's Award for Academic Excellence with a grade point average of 95 percent on all class assignments, which was the highest average in the class.

At the end of the ceremony, the class's two chiefs, Chief Danny Caudill of the Harlan Police Department and Chief Shane Allison of the Eddyville Police Department, were surprised by being awarded their Career Development Certificates for completing the Chief Executive program. 🍌

## CJED VIII Graduates

Chief Shane Allison, Eddyville PD

Sgt. Penny Bowles,  
Bowling Green PD

Chief Danny Caudill, Harlan PD

Lt. B. J. Champagne,  
Campbell County PD

Capt. Michael Dowell, Western  
Kentucky University PD

Capt. Leland T. Estepp, Bellevue PD

Lt. James M. Gadzala,  
Fort Thomas PD

Lt. Brian Howard, Kentucky  
Vehicle Enforcement

Lt. Greg Jenkins, Kentucky  
Vehicle Enforcement

Sgt. Troy Pitcock,  
Louisville Metro PD

Lt. Robert Richardson, Frankfort PD

Capt. J. P. Roberts, Paducah PD

Sgt. George Schreiner,  
Alexandria PD

Lt. Mareka Scott, Cincinnati/  
Northern Kentucky Airport PD

Sgt. David A. Sexton, Morehead PD

Lt. Chris Taylor, Madisonville PD

Sgt. James L. Thomas,  
Harrodsburg PD

Sgt. John W. Thompson,  
Hopkinsville PD

Lt. Ronnie L. Wagoner,  
Georgetown PD

Lt. Col. James Wilson, Richmond PD

# When the Police Chief Becomes the Chief

/ Shelly Whitehead, Kentucky Post staff reporter





**T**wenty years ago, when most of the current Northern Kentucky police chiefs started their careers, many aspired to run their departments one day.

Few imagined they might run their towns as well, but five police chiefs in Kenton and Campbell counties now find themselves doing just that.

Covington, Fort Mitchell, Independence, Newport and Taylor Mill all have, or have recently had their police chiefs filling city manager roles.

Money, more specifically the lack of it, has motivated some cities to assign city management duties to their police chiefs.

Independence eliminated its city administrator's position two years ago to save taxpayers an estimated \$90,000 in salary and benefits. Duties of the office were then divvied up between City Clerk Pat Haney and Police Chief Shawn Butler.

Butler, who called his position "Police-Chief-with-Additional-Duties," agreed to supervise public works, parks and recreation, some financial functions, as well as the 30-member police department, for an additional \$7,000 annually.

"It's economic reality," Butler said. "All cities are looking at what their revenue streams are and nobody wants to raise taxes."

Newport Chief Tom Fromme took the job on an interim basis in Newport after city leaders voted to oust City Manager Phil Ciafardini. Fromme believes his six years as assistant city manager proves he can handle the task.

"The police chief has always had a lot of administrative duties with his job, from dealing with personnel issues and drafting budgets, (to) dealing with the public," he said. "And in Kentucky, particularly in the larger agencies, police chiefs are extremely well-educated."

Fromme holds a master's degree in public administration.

**E**ducation and experience might prepare chiefs well for city management, but the transition to the job can be tough. Covington Police Chief Tom Schonecker found the mere idea of assuming the city manager's job a little difficult to grasp when he was first tapped to fill the role on an interim basis in January of 2005 following Greg Jarvis' resignation.

"I told the commission, 'I don't have the experience or knowledge.' I was very apprehensive at first because I wasn't trained in that background and I was very worried I would make

a lot of mistakes," said Schonecker, who served seven months as city manager and is now acting assistant city manager.

"But their answer was, 'You don't need to know all about all the different departments. We have people to run those departments.' My role was to give them direction and make decisions based on information I received from them."

Most chiefs have gone through leadership and management training to fulfill the continuing education requirements mandated for all Kentucky police officers.

The Commonwealth ranks among the top five states nationally in its baseline and continuing education requirements for sworn peace officers, said Kentucky Department of Criminal Justice Training Leadership Development Supervisor J.R. Brown.

Brown believes the emergence of police chiefs among the ranks of city managers shows that city leaders now view their local police departments as a source of well-educated, experienced managers capable of serving their communities both within and beyond their department's walls.

**I**t's a notion many have been learning in executive level courses at the Kentucky Department of Criminal Justice Training in Richmond, where Brown said community-based leadership has been an increasing focus over the last eight years.

"We're really pushing community leadership now because by the time they get to be chief, they need to be community leaders as well," Brown said.

"In fact, the city manager of Owensboro recently came and visited us for two days because he wanted to know why his police officers are so much better trained than the rest of the city workers."

Post-graduate education and management training is key to the increasing popularity of putting police chiefs in city management positions locally, said Gary Mattson, director of Northern Kentucky University's master's program in public administration.

Mattson said most cities fill city manager vacancies, both temporarily and permanently, with city engineers or city planners, since individuals in those positions in most areas of the country have public administration backgrounds. But locally, Mattson said most city engineers and planners have architectural education backgrounds.

Mattson, however, said chiefs should not continue to hold their police position when they assume the city manager's role, particularly when

they do so on a permanent basis. And he dislikes the practice of splitting up the city manager's duties between a police chief and another city manager.

"There are lots of things the city administrator does, where (he) has to look at the overall picture of the city," Mattson said.

"You need somebody to do overall strategic planning, to provide a sense of vision, to look at all those departments and how all the departments can be focused in the same direction. But generally, police chiefs are all well qualified and many could easily move right into the city manager's position."

**S**ome police chiefs have no real desire to serve in any sort of city management role, even if they once thought they did.


After filling in for City Manager Jill Bailey during her maternity leave, Taylor Mill Police Chief Steve Knauf discovered he didn't like the job as much as he always thought he would.

"You get a taste of it and get an idea of whether you like it or not," he said. "But, if they directly asked, 'Do you want to be city administrator?' Well, I thought I did. But after getting a taste of it, I decided I'd go for a master's in criminal justice as opposed to going for a master's in public administration."

Fort Mitchell Police Chief Steve Hensley, in contrast, was somewhat surprised to find how much he enjoys the city administrator's job, which he has filled since Bill Goetz retired in August.

"I never really anticipated that I would look at going in the direction of being this city's administrator," he said. "But, with the new innovative approaches to personnel management we go through down (at the Department of Criminal Justice Training) and the different topics we now are taught, they have basically opened us up to new horizons where we've started talking about more than just generalized police supervision."

**N**one of the chiefs thought their departments suffered as a result of their new duties outside law enforcement, but most said they had become more reliant on help from their assistant chief, as well as an assortment of technological gadgets to complete all their responsibilities.

This article was originally published in the Kentucky Post on November 10, 2005. All rights and permission to reprint this article were obtained by the Kentucky Post. 



## Sheriff Elvis Doolin

Elvis Doolin was born in Ohio County on May 22, 1959 and has lived there all of his life. He graduated from Fordsville High School and attended Kentucky Wesleyan College. He is a member of the Kentucky Sheriffs' Association, Dundee Masonic Lodge, the National Sheriffs' Association, Kentucky Peace Officers' Association and the Pleasant Hill Baptist Church. His focus is on criminal justice.

**"Our grandparents have worked hard, built our churches we worship in, constructed the roads we drive on and cleared the land we farm."**

### **Before you began your law enforcement career what things would you liked to have known first and why?**

Upon graduation from Fordsville High School there were two careers I wished to pursue, one being to own and operate my own business and the other to become a police officer. With much hard work and many sacrifices, I managed to accomplish both. I did not consider the personal risks and dangers involved in the duties associated with law enforcement. This was probably due to my young age of 21 when I began my career. Many times I have been involved with life-threatening situations after attempting to solve crimes. The second area unknown to me was how much time is involved and the stresses related to the job. I have found my job in law enforcement to be very stressful, time consuming and requiring countless hours devoted to addressing the needs of the people.

### **What has been the key to your success as the Ohio County sheriff?**

First of all as sheriff, I must always be mindful of how I obtained the job and remember what I must do to stay. Having a lot of patience, compassion and understanding with people has certainly been in my favor. Treating each person with dignity and respect goes a long way. I realize that no person is perfect and we all make mistakes. It is not only our job to enforce the laws, but also to help others in trouble. There is a time to be firm and time to understand. I hope that I am remembered as a sheriff that was fair and helpful as well as bringing offenders to justice.

### **What single word do you think best describes your department and why?**

My department is a family with a variety of personalities, talents and personal qualifications. It is a team that works together and helps each other. Our unity is our strength. Our department formed a band consisting of officers and citizens, which performs frequently at the area long-term care facilities and senior citizens centers.

### **Tell us about the good report you received in 2005 on the war against drugs.**

One of our foremost achievements in the department during 2005 was when we saw the results of several years of hard work and time that had been devoted to the war against drugs. The arrests and associated crimes related to methamphetamine were reduced 47 percent during the year. Ohio County was ranked in the top five counties in the state for the number of

drug labs during the previous year. Although this area of crime has decreased, we still have to concentrate on the drug problems in our area. I am proud to say that Ohio County was selected as one of the top 100 communities in the nation to raise a family. This is a direct reflection of our law enforcement in Ohio County.

### **Why is it so important to you and your agency to take the time to interact with the elderly in your community?**

I believe all citizens of Ohio County deserve a safe place to live and work. This is particularly true with our elderly population. I have the utmost respect for my elders. Their requests and needs have and will always be a priority with me. Their knowledge and wisdom is infinite, and it is on them I can always depend. At this time in their lives, seniors should feel secure in their homes and should not be exposed to neighborhood violence, scams or feel threatened in any way. Our grandparents have worked hard, built our churches we worship in, constructed the roads we drive on and cleared the land we farm. They have made life so much easier for us and we, in turn, owe each of them a safe and enjoyable retirement.

### **Do you have any special projects you want to share with your criminal justice peers?**

As sheriff of Ohio County, I have been fortunate to receive several grants and special funding for projects to help our citizens. I am very proud of the Community Oriented Policing Services funding (more than \$200,000) for the Ohio County high school and middle school. We have secured approximately \$1 million in surplus military equipment and supplies for the county through the Defense Re-utilization Marketing Office (DRMO) program. Other extra funding includes weapons for my officers from the U. S. Army, and the U. S. Department of Justice has paid salaries for new officers over the past eight years. Special drug monies from the Law Enforcement Block Grants for DUI enforcement have been awarded to us, and other special programs such as Americorp Program, Child Safety Program, DARE Officer, Gun Lock Program, Neighborhood Watch and Bears for Kids have been beneficial to our schools, students, families and the community. Oftentimes the sheriff's office operates on a very tight budget. It is always important to explore every avenue for new sources of revenue. It has always been one of my goals to secure and implement as many services as possible for our citizens. It has been, indeed, an honor and privilege to serve 23 years in law enforcement, 13 as sheriff. 🍷





## Sheriff Kenneth Hale

Kenneth L. Hale has been in law enforcement since 1987. He is 47 years old and began his law enforcement career as a part-time auxiliary officer before he became a full-time officer. He has served the Butler Police Department since 1997 as chief. Hale is a graduate of Northern Kentucky University with a degree in law enforcement and is also a graduate of DOJT Class 197. He is a member of the Fraternal Order of Police and Kentucky Peace Officers' Association, as well as serving on the board of directors of a child abuse organization. Hale is the current master of Demoss Masonic Lodge. He has been married for 25 years and has one daughter, 17. Hale enjoys outdoor activities such as hunting, fishing and all sorts of motor sports such as motorcycles and auto racing. He has a stock car that he races whenever he gets a chance.

**"I enjoy stopping and shooting a game of basketball with the neighborhood kids....You would be surprised how the kids open up to you."**

**Before you began your law enforcement career what three things would you liked to have known first and why?**

The first thing I would have liked to have known prior to starting my law enforcement career is having more sales experience. I feel that every day we have to sell ourselves to the public. Because of our knowledge in various categories, from street directions to domestic calls, people turn to us for help and it is very critical that we know how to correctly and safely close the deal. In order for us to serve the public in a professional manner, we need the ability to understand the public. Knowing how to deal with and understand a child's point of view as well as working with the elderly is critical in our profession.

Also, I would like to have had a better understanding of how government generally works from local city government to the state and federal levels. I feel it would be a great benefit to anyone who aspires to be an officer to go to your town meetings or attend fiscal court meetings and see first hand how the government works, whether a city council and mayor type of government or a trustee type government. This would give an officer a better idea of what is expected of them.

The same holds true for the court system. I think you owe it to yourself to go to the court rooms and just observe for a while to get first-hand knowledge as to how the court system works so that when you get to court you are not disillusioned when your case is continued several times or you, as an officer after working a third shift, get pushed to the end of the docket for whatever reason. I do strongly believe in a good education. However, I feel there is no substitute for hands-on training.

**What has been the key to your success at the Butler Police Department?**

I feel the success of any department is constantly trying to know your city. You should listen to the people and what the community feels are the problems. I have always felt that it is better to work through a problem than at a problem. This may mean bringing together youth groups and seniors to solve a problem jointly.

Having a good working relationship with the city fathers and the different departments such as maintenance, water and sewer helps solve small problems before they turn into large ones. The first thing the community does if there is a problem of any type is to call the police because we are the most visible form of accessible government that people recognize. Sometimes it is just making the extra effort to get in touch with the right agency to solve the problem.

**As a one-person department, how do you deal with being the community's only officer?**

While you do have to work some long hours, it can have its rewards. Being the sole officer you take the original call, work the scene, do the investigation, and end it with the court procedures. I guess you get all the glory and all the grief as well. You have to try hard to work well with other agencies from the prosecutor's office to city officials to the local business community, church groups, etc. You need all these people to help you succeed. All of the individuals can be a wealth of information and support if given the opportunity.

**Tell us why the youth in your community are important to you.**

As a child my parents taught me that a policeman was your friend and that if you were ever lost or needed help that is who you went to. I have never forgotten that. I try really hard to listen to the kids of the community. We have a lot of good children out there. I enjoy stopping and shooting a game of basketball with the neighborhood kids, talking about their grades, school and the dangers of drugs. You would be surprised how the kids open up to you. I feel that if you are straight up with the kids and respect them, they'll respect you. I try hard to encourage the kids to attend city council meetings and ask questions. Hopefully, if I can deal with the kids at age 8, I won't have to deal with them at age 18. I try each year to have different types of youth programs, such as bike safety rodeos. This allows children and their parents to interact with the police department and hopefully build a good relationship. I know that we can't reach all the children, however, if we reach just one we are making progress. 🍷



## Chief James Slone

James E. Slone, born July 24, 1952 in Wheelwright, Kentucky, joined the Air Force in 1972. After completing a tour of duty in Vietnam and obtaining the rank of sergeant, Slone worked for the Wheelwright Police Department, Floyd County Sheriffs' Office, and was a personal body guard for a mine owner. He joined the Martin Police Department April 28, 1989 and has worked there for more than 18 years.

**"Almost all the citizens know me and that they can talk to me ... at anytime .... The citizens know I am always there to assist them in anyway I can."**

**Before you began your law enforcement career what three things would you liked to have known first and why?**

I would liked to have known what the long-term effects of law enforcement are to a person. Job stress is known to be the leading cause of high blood pressure, heart problems and sleeping disorders. Also, mental stress on the job can cause problems at work or at home and can lead to suicide. The constant need for training, court decisions and societal changes are constantly affecting law enforcement. The type of training officers need to be safe on the job and to protect the public to the best of their ability is constantly changing.

**What is the key to your success at the Martin Police Department?**

The key to my success at the Martin Police Department is my dedication to the citizens of Martin. I deal with citizens in a fair and honest way.

**You attended the Orientation for New Police Chiefs class. How did that class help prepare you as chief?**

The Orientation for New Police Chiefs class helped me understand the job better. It gave me better resources to perform the job at a more professional level.

**What single word best describes your department and why?**

The single word that describes Martin Police Department is dedication. Our officers put in a lot of hours working on and off duty. Community policing is what we do best. My officers coach basketball and baseball for kids and participate in other community activities.

**The city of Martin has recently experienced flooding issues. Tell us more about the situation and what are some of the challenges your department may face to relocate the department?**

Martin has always had flooding issues. Our department faces several challenges due to our relocation project. Traffic control in construction areas and trucks hauling dirt down Main Street have presented concerns.

**How would you describe the duties of being a chief in a small town?**

As chief of a small town like Martin, almost all the citizens know me and that they can talk to me personally at anytime concerning personal problems or issues with my officers. The citizens know I am always there to assist them in anyway I can.



## New Chiefs of Police Across the Commonwealth

### **WILLIAM DENTON – CARLISLE POLICE DEPARTMENT**

William Denton was appointed chief of the Carlisle Police Department January 6. He joined the Carlisle Police Department in August 2001. Denton is planning to implement E-Crash, E-NIM's and E-Citation in the near future.

### **KELSE HENSLEY – WEST LIBERTY POLICE DEPARTMENT**

Kelse Hensley was appointed chief of the West Liberty Police Department January 23. He began his law enforcement career with West Liberty in 1982. Hensley went to work with the Morehead Police Department in 1985 and retired from there in 2003. Since then Hensley has served in Iraq and with the Rowan County Sheriff's Office. Hensley is in the application process and hopes to achieve accreditation for the West Liberty Police Department.

### **ROBERT RITTER – WEST BUECHEL POLICE DEPARTMENT**

Robert Ritter was appointed chief of the West Buechel Police Department November 21, 2005. He retired from the Jefferson County Police Department in 1999 after 23 years of service. Ritter also worked in radio part-time for 20 years. Ritter plans to achieve accreditation for the West Buechel Police Department.

### **MCDONALD VICK – UNIVERSITY OF KENTUCKY POLICE DEPARTMENT**

McDonald Vick was appointed chief of the University of Kentucky Police Department March 13. He served 19 years with the Durham (North Carolina) Police Department before being named chief of the North Carolina Central University Police Department in 1995.

### **DENNEY SHELLEY – WILLIAMSBURG POLICE DEPARTMENT**

Denney Shelley was appointed chief of the Williamsburg Police Department March 31. He has been with the Williamsburg Police Department since 1990 and became the assistant chief in 2003. Shelley will be focusing on residential patrol and looks forward to developing community oriented policing and other future projects with the mayor and city council.

### **MICHAEL PETERS – BRODHEAD POLICE DEPARTMENT**

Michael Peters was appointed chief of the Brodhead Police Department November 1, 2005. He began his career with the Mt. Vernon Police Department. After 12 years he joined the Rockcastle County Sheriff's Office and served as a deputy for two years. Peters plans to provide effective law enforcement for the city. 🍌



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A series of articles will appear in the next several editions of Kentucky Law Enforcement that will attempt to explain the concept of Problem Based Learning as we explore the PBL Tool Shed. In this issue you will find volumes one, two and three of the nine-volume series. The intention of these articles is to capture your interest in the topic and encourage you to do a little self learning about the topic. After all nine articles appear there will be a wrap-up article to recap what was covered in the articles.

# Problem Based Learning





## From The PBL Tool Shed

### Volume I/Rick Schad

There is a new buzz term in Kentucky law enforcement training: Problem Based Learning. Is PBL problem solving? Is it learning? Or is it just another flavor of the month? The answers to these questions and many more lie hidden inside the PBL tool shed. If you have a moment, peek inside and explore its contents.

Standing outside the tool shed, you cannot help but notice the letters PBL inscribed just below the roof's pitch. Curiously, just above the doors, Gnothi Seauton is painted in bright golden letters. Gnothi Seauton? Translated into modern English it means "Know Thyself."

Those ancient Greek words proudly adorned the portico at the Temple of Delphi – circa 1000 B.C. It is hard to ignore the fact that this phrase means just as much to Kentucky law enforcement today as it did to the people of Greece 3,000 years ago. Investigating Gnothi Seauton will require a quantum leap back to ancient Greece, or one could simply open the PBL tool shed doors and pick up the chest labeled Emotional Intelligence. E.I. is the sum total of five distinct components:

**Self-Awareness** (self-confidence and a realistic self-assessment)

**Self-Regulation** (trustworthiness, integrity, openness to change)

**Motivation** (a passion to work, organizational commitment)

**Empathy** (cross-cultural sensitivity, service to clients)

**Social Skill** (effectiveness in leading change, rapport building)

Goleman, Daniel. *What Makes a Leader*. Harvard Business Review. November-December 1998.

Keep in mind that while we are on the streets meeting the challenges of conflict resolution and critical problem solving, the components of E.I. play a major role in our individual actions and decision-making. Officers' emotional minds trigger memories from past events. Ultimately, these past events impose a major influence upon the present. Since we experience life differently, and events mean different things to each of us, our E.I. develops differently.

Police officers who desire successful careers in the modern law enforcement profession must understand this ancient Greek concept of Gnothi Seauton. They must become familiar with the components of E.I. and how those components affect their decision-making.

Further understanding of E.I. can be obtained from the following publications:

*The Emotionally Intelligent Manager* by David R. Caruso and Peter Salovey

*Emotional Intelligence* by Daniel Goleman

*Primal Leadership* by Daniel Goleman

*Man's Search for Meaning* by Viktor Frankl

Problem based learning has many intricate facets. This volume addresses emotional intelligence. Each of the succeeding volumes look at the rest of PBL. >>





## From the PBL Tool Shed Volume II/Amanda Basham

What is in that boxed labeled multiple intelligences?

Trainers, have you ever said to yourself: Man, I've told this rookie the same thing a hundred times and he/she is still not getting it? Could there be a reason for this or should you just assume that the rookie is a lost cause? Should we look at the training? The problem might not be how smart the rookie is but how the rookie is smart.

If a trainer is having difficulty reaching a student by using the traditional methods of instruction, the theory of multiple intelligences, or M.I., suggests some other ways that material might be presented to learners. Whatever concept you are teaching, see how you might connect it with:

- **Words** (linguistic intelligence)
- **Numbers** (logical-mathematical intelligence)
- **Pictures** (spatial intelligence)
- **Music** (musical intelligence)
- **Self-reflection** (intrapersonal intelligence)
- **A physical experience** (bodily-kinesthetic intelligence)
- **A social experience** (interpersonal intelligence)
- **An experience in the natural world** (naturalist intelligence)

For example, if you are teaching a block of instruction on basic radio procedure, you might make a reading assignment about it (linguistic), tell a story from your own career (linguistic), make a poster that illustrates the procedure (spatial), or write a song or use an existing song to illustrate the concept (musical).

Trainers won't have to use all eight ways to teach students. Be creative. The idea is to reach as many students as you can. This theory takes the emphasis away from the instructor and how he/she chooses to teach. It then places the emphasis on the student and how material can be presented so it is learned. Just start with something that interests you as a trainer and build on it. The possibilities are endless, and exciting.

If you would like to learn more about M.I., look at the following sources:

**Multiple Intelligences in the Classroom** by Thomas Armstrong

**7 Kinds of Smart: Identifying and Developing Your Many Intelligences** by Thomas Armstrong

**Frames of Mind: The Theory of Multiple Intelligences** by Howard Gardner







## From The PBL Tool Shed

### Volume III/Scotty Saltsman

Now that you have looked at the emotional intelligence and multiple intelligences aspects of PBL, let's take a look at that box labeled Bloom's. As we open the box, we notice there is something strangely familiar with the content. We recognize some of the items in this box from the instructor course we took.

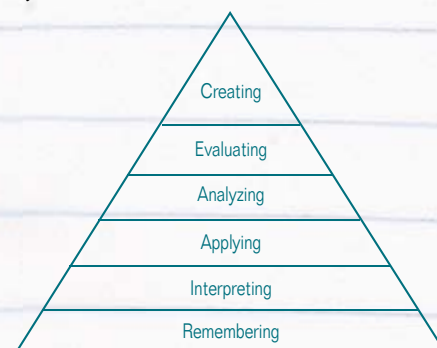
We start to understand what the pieces of the puzzle are forming. We can see the steps to motivating and learning start to take shape. As we look at the puzzle we notice it is in a pyramid shape. We start to work on the lower rung. As we work our way to the top we get flashbacks to our instructor course once again.

Now that the puzzle is together we can see the entire Bloom's Taxonomy before us. As we look over this puzzle we realize that many of our classes are using the lower levels of Bloom's to motivate the students we are training. Traditionally we tended to teach at the base level simply to have the student pass the test. Now try to imagine where we might be able to take the students if we asked them to go above the basic levels.

By taking the time to push students higher on the scale of Bloom's Taxonomy we help them accomplish a better transference of the information from the classroom to the street. After all, if students fail to use that classroom knowledge, why are we spending valuable time on the subject in the first place? Don't we owe it to our students to ensure they can take what we share with each other in the classroom and effectively transform that knowledge to service to the community?

The next time you develop a course, remember to use Bloom's Taxonomy as you write your objectives:

1. **Remembering**: arrange, define, duplicate, label, list, memorize, name, order, recognize, relate, recall, repeat, reproduce, state.
2. **Interpreting**: classify, describe, discuss, explain, express, identify, indicate, locate, recognize, report, restate, review, select, translate.
3. **Applying**: apply, choose, demonstrate, dramatize, employ, illustrate, interpret, operate, practice, schedule, sketch, solve, use, write.
4. **Analyzing**: analyze, appraise, calculate, categorize, compare, contrast, criticize, differentiate, discriminate, distinguish, examine, experiment, question, test.
5. **Evaluating**: appraise, argue, assess, attach, choose, compare, defend, estimate, judge, predict, rate, core, select, support, value, evaluate.
6. **Creating**: arrange, assemble, collect, compose, construct, create, design, develop, formulate, manage, organize, plan, prepare, propose, set up, write.



Revised Bloom's Taxonomy

For those of you who are not instructors, think about a class you have taken during your career. Did you feel challenged during the course? I would venture to guess that often you were not challenged and were sometimes bored. Imagine how you might have felt during the course if the instructor had you take the time to create, analyze or evaluate something as part of that course. Do you think you would have had a better understanding of the topic? Do you think you would have been able to see the transference of the information to what is expected of you on the street?

Learn more about using Bloom's Taxonomy by checking out these links:

<http://coe.sdsu.edu/eet/Articles/bloomrev/index.htm>  
<http://www.nwlink.com/%7Edonclark/hrd/bloom.html>  
<http://coe.sdsu.edu/eet/Articles/BloomsLD/index.htm>  
<http://www.valdosta.edu/~whuitt/psy702/cogsys/bloom.html>  
<http://www.uct.ac.za/projects/cbe/mcqman/mcqappc.html>  
<http://www.coun.uvic.ca/learn/program/hndouts/bloom.html>  
<http://officeport.com/edu/blooms.htm>



# U. S. SUPREME COURT HANDS DOWN FOURTH AMENDMENT DECISIONS

/Michael S. Schwendeman, Legal Training Section

**T**he Supreme Court of the United States handed down two significant decisions in March of this year in the cases of *U. S. v. Grubbs*<sup>1</sup> and *Georgia v. Randolph*<sup>2</sup>. Both of these cases dealt with Fourth Amendment issues.

The Grubbs case dealt with anticipatory search warrants. Grubbs had ordered a videotape of child pornography on the Internet from what turned out to be an undercover postal inspector. Postal inspectors submitted an application for a search warrant for Grubbs' home to seek the videotape. The affidavit stated that the warrant would not be executed unless and until the videotape had been received by a person at the address in question. The affidavit concluded that, based on the information set forth, the item will be found at the listed address after delivery. The magistrate issued the warrant. A postal inspector delivered the package, with Grubbs' wife signing for it. Postal inspectors detained Grubbs when he left the house shortly thereafter, and then executed the warrant. Grubbs was given a copy of the warrant, but it did not have the affidavit explaining when the warrant would be executed attached. The videotape was found, and Grubbs was arrested after he admitted ordering it.

Grubbs sought suppression of the tape in District Court on the basis that the warrant failed to list the triggering condition. The District Court denied the motion. Grubbs pleaded guilty, but reserved his right to appeal the denial of the motion to suppress. The Ninth Circuit reversed, holding that the particularity requirement of the Fourth Amendment applied to conditions precedent in an anticipatory search warrant. Because the officers failed to present a document with the anticipatory condition listed, the warrant was inoperative.

Although it was not an issue preserved for appeal, the U. S. Supreme Court first addressed the question of whether anticipatory search warrants were categorically unconstitutional. The Court held they were not. It noted that most anticipatory warrants have a "triggering condition" that must be met before the war-

rant could be executed. The Court had no problem with this. It noted that ordinarily when a warrant is issued, the magistrate does so in anticipation that the item will still be there when the warrant is executed. It also noted that a wiretap warrant is issued in anticipation that incriminating communications will be intercepted, but they have not happened at the time of the warrant being issued. Anticipatory warrants are issued with the expectation that the contraband will be there when the warrant is executed. They were held to be no different than ordinary warrants, in that they require the magistrate to determine (1) that it is now probable that (2) contraband, evidence of a crime, or a fugitive will be on the described premises (3) when the warrant is executed. It must be probable that if the triggering condition occurs evidence of a crime will be found, and it must also be probable that the triggering condition will occur.

**T**he Supreme Court then disposed of the Ninth Circuit's actual reasoning relatively quickly. It rejected the Ninth's effort to expand the application of the phrase "particularly described" to include more than the Fourth Amendment's actual application to the location to be searched and the items to be seized. It rejected outright the respondent's contention that if there were a precondition to the validity of the warrant, it must be stated on the face of the warrant.

The second case, and with potentially greater impact, was *Georgia v. Randolph*. Scott and Janet Randolph were a married couple living in Americus, Georgia. They separated in May 2001 over marital difficulties, with Janet going to Canada with her son to live with her parents. Some time later, Janet and the boy returned. It is unclear whether it was for the purpose of seeking reconciliation or to recover additional property. If it was to seek reconciliation, it did not go well. On the morning of July 6, 2001, Janet called the police because Scott had taken their son.

When the police arrived, Janet not only advised them of their marital difficulties and Scott's taking of their son, she also told them Scott was a cocaine user.



After Scott returned, and the boy was subsequently recovered by officers (he had been left with a friend), the officers asked Scott about the drug use. Scott denied it. Janet told them that there were items of drug evidence in the house. When the officers asked Scott if they could search his home, he emphatically refused permission. The officers then asked Janet, who not only gave permission to search the home, but led them upstairs to Scott's room. An officer observed and seized a drinking straw with evident cocaine residue on it. He went to his cruiser to get an evidence bag for the straw, but when he returned to the house Janet had changed her mind and revoked permission. A search warrant was obtained, and additional drug evidence was seized from the house. Scott was indicted for possession of cocaine.

**A**t trial, Scott's motion to suppress the evidence as products of a warrantless search, and that his wife's consent was negated by his unequivocal refusal was overruled. The trial court found that Janet had common authority to consent to the search. The Court of Appeals of Georgia reversed on the ground that the "consent to conduct a warrantless search of a residence given by one occupant is not valid in the face of the refusal of another occupant who is physically present at the scene to permit a warrantless search."<sup>3</sup> The Supreme Court of Georgia affirmed, distinguishing the case from *United States v. Matlock*<sup>4</sup>, as in *Matlock* the consent of the person with common authority was valid against the absent party.

The issue before the U. S. Supreme Court was whether the warrantless search and seizure of evidence was lawful when the search is based on the consent of a person with common authority over the area searched with another person, and the other person is present and expressly refuses consent. The answer was no.

**T**he Court noted that in its previous cases of consent by a person with common authority, the second occupant was not physically present and objecting to the search. Common authority is not synonymous with technical property interest, but that any of the cohabitants has a right to permit inspection of common areas. Cohabitants assume the risk that one of them may permit such an inspection. Common authority for the purposes of the Fourth Amendment may be broader than the rights accorded under property law. "The

constant element in assessing Fourth Amendment reasonableness in consent cases, then, is the great significance given to widely shared social expectations, . . . influenced by the law of property, but not controlled by its rules."<sup>5</sup>

The Court then addressed what it described as "assumptions tenants usually make about their common authority when they share quarters."<sup>6</sup>

Among them would be that your roommate might invite in a guest you find obnoxious while you are out. Also, while you may share authority over common areas, they would not likely have authority to let officers search your personal things, like your dresser drawers. The Court invoked *Minnesota v. Olson*<sup>7</sup> for the proposition that overnight houseguests have a legitimate expectation of privacy in their quarters since it would be unlikely that their host would admit somebody to their space over their objection. From this, the Court inferred that an inhabitant of shared space would likewise be able to prevent the other from inviting an unwanted person over his objection. It concluded that there was "no common understanding that one cotenant generally has a right or authority to prevail over the express wishes of another, whether the issue is the color of the curtains or invitations to outsiders."<sup>8</sup> Therefore, since a co-tenant has no recognized authority in law or social practice

to prevail over a present and objecting co-tenant, the disputed invitation to a police officer to come in and search is worthless. The dispute effectively negates the consent.

**T**he majority disputed the minority's contention that this decision would shield domestic abusers by allowing the violator to trump the permission of the victim to enter the dwelling. In dicta defending its holding, the majority said the minority was confusing two separate issues. These were when you can enter to do a search, and when you can enter for other reasons without committing a trespass. The Court stressed that this decision applied to contested consent to search cases. "No question has been raised, or reasonably could be, about the authority of the police to enter a dwelling to protect a resident from domestic violence; so long as they have good reason to believe such a threat exists, it would be silly to suggest that the police would commit a tort by entering, say, to give a complaining tenant the opportunity to collect belongings and get out safely, or to determine whether violence . . . has just occurred or is about to . . . occur, however much a spouse or other co-tenant objected."<sup>9</sup> In essence, an exigent circumstance (imminent domestic violence) would justify entry over any objection.

The Court concluded its opinion by wrapping up a couple of what it described as loose ends. First, it attacked the seeming contradiction from *Matlock* about a co-tenant having authority to give permission in his own right. How can his own right to consent be negated by a co-tenant's refusal? This was explained away by not being "an enduring and enforceable ownership right as understood by the law of private property"<sup>10</sup> but as authority based on customary social usage that goes to the reasonableness requirement for the expectation of privacy. The second loose end was how did this affect situations where the potentially objecting co-tenant was asleep (*Illinois v. Rodriguez*<sup>11</sup>), in the back yard, in a police vehicle, or any other circumstance where he would be close by or reachable? The Court said that so long as there was no evidence that the police have removed the potentially objecting party for the sake of preempting his opportunity to object, the consent of the other co-tenant would be valid.

Chief Justice Roberts dissented forcefully. He endorsed a simpler approach that if a person shares access to an area with another, he

## U.S. Fourth Amendment

**"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."**

>> assumes the risk that the other will admit the police to conduct a search. He criticized the reliance the majority placed upon social expectations to determine the outcome of the case. Roberts argued that the majority was not basing the holding on an expectation of privacy, which is necessary for the Fourth Amendment to apply. Roberts expressed concern that the “scope of the majority’s rule is not only arbitrary but obscure as well.”<sup>12</sup> He was concerned about this rule being applied beyond the facts of this case. The majority’s statement that this would not apply to a domestic situation was not in the holding, but in dicta, and therefore would not be binding on lower courts. Roberts stated the most serious consequence he foresaw was

the rule’s operation in domestic violence cases. He criticized relying on exigent circumstances to justify entry, noting that if there is no imminent threat, an officer’s entry may be found unlawful.

It remains to be seen whether the majority or the minority in *Randolph* is correct about long term impact. The basic holding of *Randolph* is clear. Officers will not conduct searches based on consent of one tenant where a co-tenant who is present objects. Regarding possible impact on domestic violence cases, it is recommended that officers continue to handle these cases as before unless and until such time as the courts hold that a present co-tenant’s refusal to allow the officers in is binding. 🍌

<sup>1</sup>547 U.S. \_\_\_\_ (2006), No. 04-1414.

<sup>2</sup>547 U.S. \_\_\_\_ (2006), No. 04-1067.

<sup>3</sup>*Georgia v. Randolph*, No. 04-1067, majority opinion, p. 3.

<sup>4</sup>415 U.S. 164 (1974).

<sup>5</sup>*Randolph*, majority opinion, p. 6.

<sup>6</sup>*Id.*

<sup>7</sup>495 U.S. 91 (1990).

<sup>8</sup>*Randolph*, majority opinion, p. 10.

<sup>9</sup>*Id.*, at 13-14.

<sup>10</sup>*Id.*, at 16.

<sup>11</sup>497 U.S. 177 (1990)

<sup>12</sup>*Georgia v. Randolph*, No. 04-1067, Roberts Dissent, p. 11.

## Change in Urine Testing Regulations / Ken Alexander and Shawn M. Herron, Staff Attorneys

Many agencies have questions concerning the current test kits provided by the Kentucky State Police Forensic Crime Laboratory for blood and urine.

Prior to May 2004, 500 Kentucky Administrative Regulation 8:030(3) – relating to urine sampling – required collecting two separate urine samples from a suspect. The first sample was analyzed for drugs. The second sample, taken 30 minutes later, could be analyzed for alcohol as well as other substances. The KSP kit provided two small screw-top containers marked A and B for that purpose.

In May, 2004, the KSP eliminated the second urine sample in the above KAR to reflect the reality that the state had not accepted a legal standard for urine testing for alcohol concentration under KRS 189A. Because Chapter 189A does not provide a standard for measuring alcohol content in urine, the results of urine testing for alcohol has limited admissibility, depending upon the individual local courts. The new KSP kits provided since that time contain only a single, slightly larger (60ml) screw-top container to be used only for drug analysis. The KSP lab will no longer analyze urine for alcohol for prosecutions under KRS 189A. In the rare instances where urine tests for alcohol are processed (under the limited provisions of KRS Chapter 281A, for example), the lab analysis will have the following disclaimer: A urine-alcohol concentration is not equivalent to a blood-alcohol concentration.

The older kits may still be used for testing urine for drugs, using only one container. Officers should regularly check



/Photo by Elizabeth Thomas

the expiration dates on kits, however, before using the tubes provided for collecting blood samples. The chemical preservative in the blood tubes does have an expiration date. Blood tubes obtained from other sources (hospitals, for example) having the same stopper color with unexpired dates may be used as a substitute for expired kit tubes.

The current regulation may be found at <http://www.lrc.ky.gov/kar/500/008/030.htm>. ■

Assistance provided by: Jane Purcell, Kentucky State Police, Toxicology, Central Forensic Laboratory; Tom Blankenship and Joe Gilliland, DOJT DUI Detection Section.



# 2006 New Legislation

/Steve Lynn, General Counsel

The 2006 Regular Session of the Kentucky General Assembly adjourned sine die on April 12. The following bills of interest to law enforcement were passed during the session. At the time this article went to press, statute numbers had not yet been assigned by the Legislative Research Commission. Unless otherwise noted, all of the following bills will become effective on July 15. The following bills are of concern to law enforcement in addition to those covered by the secretary of the Justice and Public Safety Cabinet article on page five.

## Senate Bill 44 and House Bill 272

Senate Bill 44 and House Bill 272 are identical bills that amend KRS 189.580, regarding the duties of individuals involved in traffic accidents, to require the driver to move the vehicle off the roadway of an interstate highway or parkway if the accident does not involve death or known or visible injury. The bills further permit law enforcement officers to remove any vehicle, cargo or other property obstructing the roadway without the consent of the owner, but provide for exceptions when an accident involves fatalities, visible injuries or the removal of hazardous material until after fire, medical and police personnel have finished their duties at the accident scene. The bills further permit an agency removing a vehicle or other property to intervene in a civil action to recover its costs.

## Senate Bill 56

This bill authorizes a restaurant to re-seal a partially consumed bottle of wine and permit a restaurant patron to remove the bottle from the premises and take it home at the conclusion of the meal. The patron is required to carry the sealed bottle in the locked glove compartment, trunk, or other non-passenger area of a vehicle.

## Senate Bill 93 and House Bill 333

These bills, which contain almost identical language and will be codified together, establish the Class A misdemeanor crime of disorderly conduct in the first degree which is committed when a person engages in disorderly conduct at a funeral, burial, funeral home, funeral procession or memorial service. The bills further create the Class A and B misdemeanor offenses of disrupting meetings and processions in the first degree and second degree and the Class B misdemeanor offense of interference with a funeral. These bills, which were filed in response to political protests being carried out at the funerals of military casualties of the Iraq War, were passed as emergencies and became effective on March 27, the day that they were signed by Governor Ernie Fletcher.

## Senate Bill 132

Senate Bill 132 authorizes the Kentucky Department of Fish and Wildlife Resources to enter into reciprocal agreements with other states relating to violations of hunting and fishing laws. It further amends KRS 150.990 to require that an individual who fails to appear in court in response to a citation or

summons for a violation to forfeit his or her hunting and fishing license and requires the courts to notify the department of the failure to appear.

## House Bill 67

This bill requires the Division of the Kentucky State Medical Examiners Office to report annually to the Secretary of the Justice and Public Safety Cabinet the number of drug-related deaths, the counties in which those deaths occurred and the major categories or generic names of the drugs involved. It further requires a law enforcement officer to seek a search warrant for blood, breath, or urine testing if a person is charged with a violation of KRS 189A.010 involving a fatal accident and refuses consent to testing and requires the defendant to make restitution for the cost of the testing.

## House Bill 90

House Bill 90 amended KRS 186.450 to provide for graduated drivers' licenses for drivers between 16 and 18 years of age. Instruction permits will now be good for three years and a person who is under age 18 shall hold both an instruction permit and an intermediate license for at least 180 days before applying for a full operator's license. Beginning April 1, 2007, the bill requires a person applying for an intermediate license to present a statement to state police signed by a parent or a guardian attesting to at least 60 hours of supervised driving, including at least 10 hours at night with a licensed person at least 21 years of age and a 180-day extension to the permit or intermediate license for a violation or conviction under KRS Chapter 186, 189, or 189A. The bill also prohibits a driver with an intermediate license from driving between midnight and 6:00 a.m. and from driving at any time with more than one unrelated person under the age of 20 years. Beginning October 1, 2007, an applicant for an operator's license must have possessed an intermediate license for 180 days without a moving violation and completed a driver training program under KRS 186.410(6). This bill becomes effective October 1, 2006.

## Senate Bill 38

Senate Bill 38 makes numerous changes to the Kentucky statutes regarding the justification for use of force and the presumptions and principles relating to the use of force by an individual. The bill provides that a person is presumed to have held a reasonable fear of peril or death when using defensive force against one who is trying to enter a dwelling, residence or occupied vehicle of the person using force. The bill provides that this presumption is inapplicable if the person is a peace officer engaged in his or her official duties who identifies himself or herself. The bill further provides that a person who is not engaged in illegal activity and who is attacked in a place where he or she has a right to be has no duty to retreat before meeting the force of the attacker, which may include deadly force. Finally, the bill provides for immunity from criminal prosecution and civil liability for the use of force, unless the person against whom force was used was a peace officer engaged in his or her official duties who identified himself or herself. 🐾

# WHAT IF IT HAPPENS HERE?

Exploring what would happen should Kentucky need major law enforcement assistance from other states / **Shawn Herron**, Staff Attorney, Legal Training Section

In August and September, 2005, the Gulf Coast, and particularly Louisiana, suffered an event that drew an unprecedented number of law enforcement into the area to assist. These officers converged on Mississippi and Louisiana from federal, state and local agencies throughout the United States. From Kentucky, state and local police officers, sheriff's deputies and specialty officers, from, for example, Kentucky Department of Fish and Wildlife Resources, all responded willingly, even eagerly, to assist fellow officers in the affected region. In addition, Kentucky Army and Air National Guard troops responded to the region with their specialized skills, including units of military police. These Kentucky responders joined officers of other states, as well as active-duty military units, who also provided policing assistance in New Orleans and other affected areas. However, because some law enforcement officers responded to individual requests from Gulf Coast law enforcement agencies, and not through the official mechanism of the Emergency Management Assistance Compact, it is unknown precisely how many law enforcement officers from Kentucky actually responded to the Gulf Coast.

So, what would happen should Kentucky need major law enforcement assistance from other states?

The primary route for assistance from other states during an emergency situation is the Emergency Management Assistance Compact, known as the EMAC. This compact, or agreement, became federal law in 1996. Since that time, 48 states, and many U.S. territories, have signed on to the compact. The National Emergency Management Association administers the EMAC and each state is required to have an implementation plan. Through the EMAC, the governor of an affected state declares

an emergency or disaster and may then request all sorts of resources needed to handle the effects of the emergency, from experienced emergency management personnel to all types of emergency responders, along with necessary equipment and supplies.

Agencies should note that responding outside the provisions of the EMAC deprives them of the liability protections provided under that law, and also denies them eligibility for expense reimbursement.

Once a request is made for assistance, the EMAC's National Coordinating Group dispatches an Advance (or A) Team to assess and communicate the needs and to coordinate with states willing to send resources. In larger emergencies (Levels 2 and 1), the NCG works closely with the Department of Homeland Security and FEMA to ensure that the response is appropriate to the need. That team defines the needed resources and broadcasts it to the states – which then reply with what they can provide to meet the need. That ensures that officers are directed to the area of the most need.

Responding under the EMAC provides certain protections and assurances for both the sending and the receiving states. Each state is expected to codify the EMAC into its own state laws. In Kentucky, it can be found at KRS 39A.950.

In addition, under the EMAC, governors may request and receive the assistance of the National Guards of the respective states.

EMAC requests must be made by authorized representatives of the requesting state, and may be verbal – but verbal requests are to be followed up in writing within 30 days of the request. That initial request must include, among other things, a specific description of what will be expected of the responders and place and time, and a point of contact, for a staging point.





From a local law enforcement perspective, an agency that anticipates a need for law enforcement assistance from outside the Commonwealth should immediately communicate that need through its local emergency management agency, and be prepared to designate a point of contact for agencies that respond to the request. The agency should also anticipate being asked about the conditions under which officers will be expected to work, what sort of uniform is advised, how communications will be handled, what arrangements have been made for lodging, food and any other unique information that would be useful.

One limitation of particular interest to law enforcement responders is that while the EMAC agreement provides that assisting responders shall have the same powers as similar responders from within the state, arrest powers are not automatically granted, but must be specifically authorized by the receiving state. In Louisiana, for example, local officers from out of state were sworn in by the Attorney General's Office and in Mississippi, the law enforcement authority was provided by the governor, which included that authority in his official EMAC

request for law enforcement assistance. Responders may continue to work under the command of their "regular leaders" but will be integrated into the overall command and control element of the receiving state.

In addition, responders shall be "considered agents of the requesting state for tort liability and immunity purposes." If a responder is injured or killed during a response, they (or their survivors) are entitled to the same benefits to which they would have been entitled had the injury occurred within the home state.

Of great importance to all responders, and to their agencies, is the issue of reimbursement for the response. Under the EMAC, the receiving state is expected to reimburse the sending state for its services, although the receiving state may discount or simply not claim any reimbursement, if it so chooses. However, it is critical that responding agencies keep an accurate accounting of all expenditures, so that it may seek reimbursement if it so chooses. If Kentucky is to be the receiving state, it is important that agencies make wise decisions as to their needs from out of state, since Kentucky almost certainly

▲ Kentucky State Police troopers went down to Biloxi Mississippi and other Gulf areas that were hard hit by Hurricane Katrina August 29, 2005 to assist local law enforcement in clean up and supply distribution in the ravaged communities.



>> will receive a request for reimbursement. Depending upon the nature of the emergency or disaster, costs for the deployment may be included in a disaster request to FEMA, but it is important to ensure that enough money is requested to cover the anticipated costs for the out-of-state assistance.

As noted, specifically, in the EMAC, arrest authority for peace officers from out of state depends upon the laws of the receiving states. Kentucky and federal law offers several possibilities for providing

necessary services there, freeing those officers who are eligible under the statute to leave the county to assist.

Federal law enforcement assistance is also likely in a major emergency. Initially, federal law enforcement offices in the state will be concerned about securing their offices and addressing the needs of their own agents and civilian staff, as well as attending to those matters that are unique to their federal agency – for example, the New Orleans Special Agent in

“Officers who respond to assist in mutual aid will need clear direction and control from local agencies, particularly if they come from outside Kentucky.”

such law enforcement authority to out of state officers. For example, under KRS 39A.070(13), the Emergency Management director is authorized to enter into such agreements as necessary, with the approval of the governor or the General Assembly. Agreements under this statute may include police services, along with firefighting, rescue, and other public safety or emergency needs. In addition, it may be possible for responding local and state officers to be deputized as U.S. Marshals, as was also done in the Gulf Coast states, and which is also commonly done when local and state law enforcement officers are members of felony apprehension task forces. (These are just two options for addressing the issue under Kentucky law, there may be other possibilities under state and federal law that will serve as well.)

However, when assistance comes from within the state, from other counties or cities, Kentucky law provides for that mutual aid assistance and permits full-time police officers and sheriffs/deputy sheriffs to assist upon request in other counties, but does not permit the assistance of constables and their deputies, special deputies or special local peace officers. The specific language of the statute restricts such assistance to full-time officers, so part-time officers would also not be eligible, under the statute, to assist. However, one way to accommodate this would be to have those officers whose powers are restricted stay within the home county and provide

Charge and several of his agents stayed with their records, in a building that suffered extensive damage, until they could be safely moved. Each federal agency has specific responsibilities, and their ability to work within their normal authorities is, of course, not changed because of the disaster. However, each state differs in whether it permits federal agents to be considered peace officers under state law. In Kentucky, KRS 61.365 provides that certain federal officers who are residents of the state may exercise general state peace officer authority, and as such would not need to be awarded any specific authority to take such actions. However, federal agents from these agencies who are not residents, or agents of agencies that are not on the list, would not automatically be permitted to act as Kentucky peace officers, although certainly, they could exercise their normal federal duties. (Louisiana law did not grant FBI agents state peace officer status, for example, but Governor Kathleen Babineaux Blanco “granted the Louisiana Office of Attorney General [the] authority to deputize FBI agents” as Louisiana peace officers. Governor Haley Barbour, granted that authority by letter permitting federal law enforcement officers the legal authority to take such actions “as afforded forces of the State of Mississippi.”)

So, what can we learn from the response to Hurricane Katrina, and to a lesser extent, Hurricane Wilma? What if it happens here?



Officers who respond to assist in mutual aid will need clear direction and control from local agencies, particularly if they come from outside Kentucky. Although they may have the legal authority to act as peace officers, they will likely not have the knowledge of Kentucky law. Kentucky law and the National Incident Management System require the use of the Incident Command System, and responding officers should be given clear direction and assignment pursuant to the ICS. ICS is critical for accountability, and accountability is even more important when officers are far from home and on unfamiliar territory. At the least, they should be in constant contact with Kentucky officers, and preferably officers from the area, to ensure that they can be an asset to the Kentucky community that they assist.

Officers who respond will need clear information as to the conditions of the area where they will be assigned. Inappropriate clothing and gear is, at best, uncomfortable and wasteful, as it will likely be irretrievably damaged, and at worst, harmful, such as when footwear is not suited to the environment in which the responder is working. Comments that have been publicized following Hurricane Katrina noted that some responders were improperly clothed and equipped for the primitive environment. As an example, the correct footwear would be boots that are thick-soled

and above the ankle, at a minimum, and clothing should be of fabric that is sturdy enough to withstand the conditions. Web-duty gear, which is lighter and easier to clean, might be preferable to leather-duty gear, as well. Through the EMAC, officers should expect to be informed as to the local conditions, and what they will need to bring with them, and if not, responding agencies should expect to bring with them sufficient gear to provide for most, if not all, of their own needs.

Communications will be a major issue even under the best of circumstances. Officers will almost certainly arrive with radios that do not easily integrate with local radios, and as such, they will need a communications plan. Every local agency should be able to provide information concerning its radio frequencies and PL tones, which will facilitate adding responders with compatible equipment to their network. At the least, agencies should remain informed and be involved with the activities of the Kentucky Wireless Interoperability Executive Committee, the entity that has been charged with developing the statewide plan for interoperable communications.

There was also a lack of uniformly recognized credentials/identification cards. Currently, the NIMS Integration Center is moving forward with the National Emergency Responder Credentialing System, which will provide, for each emergency responder, a

single card that documents all relevant qualifications and certifications. It is the NIC's intention to develop these nationally-recognized credentials to facilitate identification of responders through the interstate mutual aid system, the EMAC. (These credentials will not, however, replace agency supplied identification cards.) Future information about this process will be made available at the following Web site: [http://www.fema.gov/pdf/nims/credent\\_fa.pdf](http://www.fema.gov/pdf/nims/credent_fa.pdf).

What will Kentucky do if a disaster near the magnitude of Hurricane Katrina occurs? Certainly, Kentucky is not subject to hurricanes, but flooding and tornados are annual events. There is increasing concern about the New Madrid Fault, which last experienced a significant earthquake in 1895, when it registered a 6.2 magnitude. Terrorism, both international and domestic, is a real and present danger throughout the United States, and certainly Kentucky is not immune. Kentucky law enforcement agencies can best be prepared for emergencies and disasters of all kinds by working with their county emergency management offices, other local public safety agencies and with the state agencies, such as the Kentucky Division of Emergency Management and the Kentucky Office of Homeland Security. These agencies ensure that, first and foremost, their own agency is prepared. Officers, telecommunicators and other employees of the agencies should personally organize to protect their families and stand ready and prepared to protect their community.

There is an old saying that the time to take action is while you still have time to act. Kentucky must resolve these questions now, because when the disaster is upon us, it will be far too late. 🚒

◀ Hurricane Katrina caused massive damage to many Gulf Coast communities. Several Kentucky law enforcement agencies traveled to the Gulf area to offer assistance to local agencies.



# Three Battles: Top Challenges for Deadly Force Trainers

/Force Science News

**W**hat does it take to train today's officers to face deadly force successfully?

A panel of nearly a dozen experts spent almost four hours voicing opinions on that topic at the recent annual conference of the International Law Enforcement Educators & Trainers Association. But the bottom line was neatly capsulated in a matter of seconds by one of the group.

Trainers need to prepare officers to win three battles, said Randy Revling, firearms instructor and coordinator of the basic law enforcement and corrections academies at Northeast Wisconsin Technical College in Green Bay:

- the battle in an officer's own mind
- the battle on the street, and
- the legal battle that comes after a lethal-force encounter.

In probing the current challenges of this complex mission, the panelists stirred a multitude of formidable questions, including:

- Is it possible to develop excellence in any of these areas, given the population entering law enforcement today?
- Are officers more afraid of being sued than they are of being murdered?
- Are they making any better street decisions now than they were 30 years ago?
- Are trainers realistically bringing the street to the range ... or trying unrealistically to impose the range on the street?

- Is training getting "too militaristic and muzzle-heavy"?
- How much risk of financial ruin do officers really face in court?

Using Revling's three battles as a structure, here's how the experts addressed those and other provocative issues.

## Battle of the Mind

What this battle hinges on, Revling explained, is a trainer's ability to overcome an officer's "initial resistance to destroying the species" — in other words, getting the trainee psychologically willing to shoot another human being — so he or she can deliver deadly force when it's demanded.

These days, several panelists agreed, that type of resistance can constitute a formidable mental roadblock.

"We're seeing a greater number of people [in law enforcement] who are not inclined to use force," stated Tom Aveni, co-founder of the Police Policy Studies Council and a member the Force Science Research Center's national advisory board.

Indeed, said retired NYPD sergeant Phil Messina, head of the Modern Warrior Inc. training organization, in reviewing tapes of deadly force encounters, one frequently sees "prey behavior" — fateful submission — on the part of officers who are under attack from human predators. The officer who needs to display so-called warrior traits in order to survive "all of a sudden is a civil servant who is more concerned

about what he's not supposed to do than he is with protecting himself."

If, as a trainer, you produce merely "social workers with a firearm" who don't accept that using deadly force may be a critical part of their job, "you've got a problem," declared Jeff Chudwin, a suburban police chief, a former prosecutor and president of the Illinois Tactical Officers Association. "We need fighters we can train to act like social workers" when that skill-set is needed but who understand the distinction between "talking at the right time and fighting at the right time."

The brutal truth is that "there are violent offenders whose actions must be stopped, by shooting if necessary, or they will continue to do evil deeds to innocent people who will suffer and die," Chudwin said.

Besides cultivating the commitment to use proper force decisively, Messina believes trainers need to instill a mind-set that makes an officer "always more afraid of losing [a deadly force encounter] than he is of dying," so he'll keep fighting until he wins.

Motivating officers to win is superior to training them just to survive, some panelists emphasized. "There's a difference between surviving and prevailing," pointed out Chuck Soltys, a federal agent and firearms/tactical survival trainer based in Chicago. Officers need to come out of life-threatening clashes not just alive but sufficiently intact physically, emotionally and legally "that after the event they have a quality of life worth surviving for."





## Battle of the Street

For greater officer safety and public safety alike, today's training for the street needs to be more realistic, incorporate more of the breakthrough findings of the Force Science Research Center, and place more emphasis on good decision-making, the panelists concluded.

In Chudwin's words, "We have to start bringing the street to the range and stop trying to bring the range to the street." Too many agencies, in his opinion, still "put holes in paper and say an officer is qualified. Qualified to do what? Put holes in the next piece of paper he encounters!"

"We need to create and train in the same adverse environments that officers face on duty," said Revling, whose college is a strategic partner of FSRC.

Messina concurred. "If we see a lot of vehicles in tapes where cops are killed, why not a vehicle in the training area?" Messina asked. "If it's raining, why not rain? If cops are dying in living rooms, build a fake living room. That's part of my job as a trainer."

Revling added, "Once we know how to kick,

why continue kicking blue bags?

Start kicking people [protected by Redman gear, for example]. Once we've shot paper targets to the point of proficiency, why not shoot people [with marking cartridges]?"

He stressed the importance of "validating what we do as trainers. Is it having a measurable effect on the street? We should have no interest in doing anything that does not work, no interest in just creating tools for the toolbox. We should strive for 100 percent accountability."

Quoting Ken Murray, an advocate of realistic training, a member of FSRC's Technical Advisory Board and author of the relevant book "Training at the Speed of Life," Aveni charged that law enforcement spends "so much time teaching people how to shoot and so little time teaching them how to think." In fact, Aveni declared, "I'm not convinced we're training officers to make any better decisions today than we did 20 to 30 years ago."

Before *Tennessee v. Garner*, for example, the ACLU claimed that roughly one in four of the people shot by police were "not armed and not assaultive when shot." Aveni's current research,

he says, shows that this percentage of "mistake-of-fact shootings" remains about the same today.

"Unless there is more emphasis by trainers on how to make valid decisions under stress, we are going to find more and more cops accused of questionable shootings," Aveni predicted.

He expressed some personal concern that training is overemphasizing extreme equipment and tactics, becoming a little too aggressive, muzzle-heavy and militaristic in the process. He cited "SWAT tactics being pressed down on street officers." (A member of the audience from Arizona reported that in his area there is pressure to teach SWAT techniques even to Explorer Scouts.)

Soltys took issue with Aveni on this point. He said he considers it "a positive that SWAT tactics are trickling down to the street level" and believes the process "needs to be ratcheted up, based on the demonstrated skill level of individual officers." He pointed out that departments are gravitating to advanced equipment like the patrol rifle "because of what they are seeing on the street. The officers I encounter are capable of carrying this weapon and to make



>> the right decisions about using it.”

Dr. Bill Lewinski, executive director of the FSRC at Minnesota State University-Mankato, underscored the importance of enhancing decision-making training and expressed the hope that the Center’s on-going research will continue to reveal valuable new insights about human performance under stress that will help strengthen and focus law enforcement instruction.

Lewinski mentioned several studies currently in progress or soon to begin under Center auspices that promise to have potentially profound training implications, including:

“In any deadly force encounter you want to stay out of court if you can, but a greater imperative is to stay out of the ground, not be killed.”

- a 2-year “hit probability” study, relating to shooting accuracy under various conditions. What works, what doesn’t and how to improve performance.
- an EEG study in London that will identify brain processes involved in tunnel vision and tunnel hearing.
- a study of perception and memory that will also incorporate brain data collected via EEG readings.
- a study aimed at evaluating and improving strategies for conducting cognitive interview of officers after lethal-force encounters.
- continuing studies on psycholinguistics, specifically the command styles officers use in high-stress situations, their impact and how to make them more effective.

Several panelists expressed appreciation for the Center’s efforts at debunking myths and providing science that is going to help us and reminded trainers that the challenge they face is not only to be aware of FSRC’s findings but to consciously integrate them into their training programs.

## Battle of the Aftermath

In any deadly force encounter “you want to stay out of court if you can,” said Chudwin, “but a greater im-

perative is to stay out of the ground, not be killed.” Regrettably, he believes, many officers are “more afraid of being sued than of being murdered,” and this unacceptable mind-set is something trainers must work to change. Fear of legal consequences, Revling added, “must to be resolved before an officer goes on the street so he doesn’t hesitate” when he needs to save his life.

During his career as both a prosecutor and a police chief, Chudwin said he has not known officers to actually lose anything in court “except peace of mind and tranquility.” At a shooting scene, he reassures surviv-

ing officers that they “aren’t going to lose your house” and can, in fact, cope ably with legal consequences. Keeping them “fully informed” through the process so they “don’t feel like just one more piece of meat” is crucial.

The need for legal counsel to guide an officer through the aftermath of a critical incident cannot be emphasized enough. Soltys recommended that officers have an attorney who “specializes in representing officers involved in shootings” lined up before they get involved in one. “He should be on speed dial on your cell phone and he should be one of the first calls you make” after a lethal encounter. “Searching for this kind of legal specialist after the fact can be extremely difficult and can leave an officer very vulnerable.”

An officer should be cautious about what he says at the scene, Soltys advised. “It’s common to seek peer approval, to ask your buddies if you did the right thing. You may say emotional things that could come back to haunt you later.” Best to say little and get off the scene as quickly as possible, preferably to a medical facility to check for injuries and monitor vital signs that will likely be abnormally high due to the stress of the incident.

Certainly, Soltys stressed, do not talk to the media, which is capable of unbelievable distortion and can make a justified shooting look like something completely different.



Soltys points out that some department shooting investigation policies mandate that officers give a statement within a specified time period after the incident and do not allow the involved officer(s) adequate time to settle down and clearly articulate the facts and circumstances. Use of proper vocabulary is important and is another reason why involved officers should seek legal guidance before giving their statement.

If pressed to provide an official statement sooner than you're comfortable, Soltys said, "The first sentence out of your mouth should be that you are giving this statement under duress and against your will and that you have not yet had a chance to consult with counsel." To help remind its personnel of proper procedures that may otherwise be overlooked or compromised under stress, his agency issues plasticized wallet cards advising step by step how to maneuver the post-shooting protocol.

Officers need to understand that "even if they did everything right, a jury is not always going to agree with them," said panelist Laura Scarry, a cop-turned-attorney in Chicago who specializes in representing officers.

She cited a harrowing recent case in which officers were sued after shooting an EDP who charged at them with a fireman's axe raised over his head. Even the plaintiff's expert witness agreed the shooting was justified, Scarry said. Yet the jury found the police liable for \$425,000 in damages.

Although the officers were not personally assessed, the injustice of this justice was hard to take psychologically. "Once you put a case in the hands of a jury, you never know what you're going to get," Scarry declared. "I'm still trying to get to the point where I have a great amount of faith in the jury system."

Massad Ayoob, the noted firearms trainer and author who chaired the ILEETA panel, suggested that in hopes of positively impacting the legal aftermath of force incidents in the future, trainers should share what they learn at LE conferences with their local prosecutors and judges. Offer to make presentations on FSRC's research findings and concepts like the Tueller Drill (the basis for the legendary 21-foot rule in defense against edged-weapon attacks) to further their continuing legal education, he proposed.

## Is Excellence Possible?

During the question and answer period after the panel's presentation, a trainer in the audience observed that the dumbing down of America was producing police recruits in whom it is becoming harder and harder to invoke the warrior spirit. How is excellence in training possible, given the poor quality trainees he perceived nowadays?

Panelist Vance McLaughlin, a subject control expert from Georgia, agreed that the problem is a perplexing one. "No one can train some of these people to the level that we need," he said. "We know the type of people who should be selected [for academy enrollment] but there isn't the political will to do it. We have physical tests, written tests — but no one can fail them. When you hire criminals to be police officers, there are going to be problems."

Out of one recent class of 12 recruits, McLaughlin said, three came to him and asked, "How can I get a real job?" These people are

headed toward a career in law enforcement "and they don't even want to be on the job."

Another panelist, Attorney Adam Kasanof of Arlington, Virginia, formerly a lieutenant and trainer with the NYPD Academy and author of the new book "How to Be an Expert Witness," suggested that in most law enforcement agencies, generally only a small percentage of recruits are unsatisfactory. But he agreed that "often they don't get thrown out." The fault, he says, lies with a reluctance to discipline or to fire.

"One thing that replaces real discipline is monitoring programs," he said. "There is a point at which you have to retrain, discipline or fire" people performing poorly, "not just generate endless amounts of paper showing how bad they are. If you get rid of the lowest performers, you find out that people farther up on the scale get a lot better. If you're going to have quality people, the commitment to change has to start at the highest level." ■



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